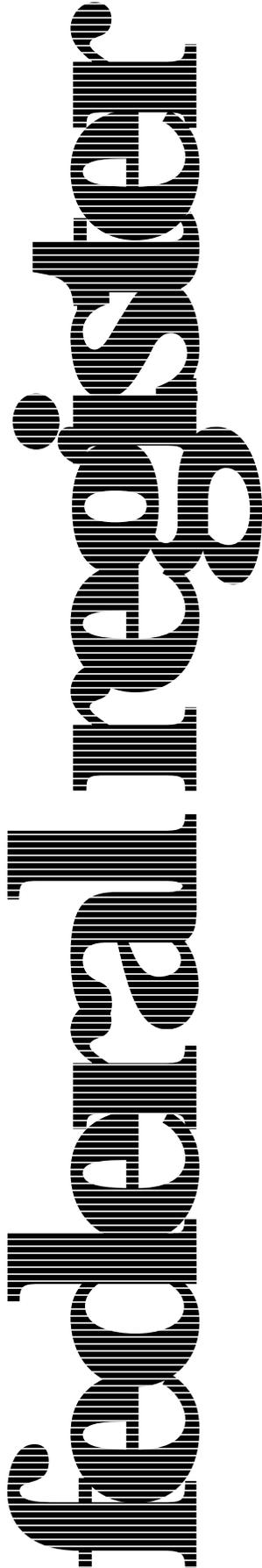

Monday
April 27, 1998



Part XXII

**Environmental
Protection Agency**

Semiannual Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Ch. I**

[FRL-5980-5]

Semiannual Agenda of Regulatory and Deregulatory Actions**AGENCY:** Environmental Protection Agency.**ACTION:** Semiannual Agenda of Regulatory and Deregulatory Actions.

SUMMARY: The Environmental Protection Agency (EPA) publishes the EPA Agenda of Regulatory and Deregulatory Actions twice each year as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions. We do this to let the public know about:

- Regulations currently under development,
- Reviews of existing regulations, and
- Rulemakings completed or terminated since the last Agenda.

ADDRESSES TO BE PLACED ON THE AGENDA MAILING LIST: If you would like to receive copies of future Agendas, please send a note with your mailing address to one of the following:

- By Mail to USEPA/NCEPI at P.O. Box 42419, Cincinnati, Ohio 45242,
- By Fax to (513) 489-8695, or
- By E-mail to ncepi.mail@epamail.epa.gov.

There is no charge for single copies of the Agenda.

FOR FURTHER INFORMATION CONTACT: We welcome your comments and suggestions. If you have general comments or questions about the Agenda or EPA's rulemaking process, please direct them to: Philip Schwartz (2136), EPA, 401 M Street SW., Washington, DC 20460; phone (202) 260-5493, fax (202) 260-5478, e-mail Schwartz.Philip@epamail.epa.gov. If you have questions or comments about a particular rule, please communicate directly with the agency contact listed for that rule. EPA has created an internet site for environmental regulations that we update daily. It is located at <http://www.epa.gov/epahome/rules.html> and is part of EPA's large internet site which we invite you to visit at <http://www.epa.gov>.

SUPPLEMENTARY INFORMATION:**The Rulemaking Process**

Congress has established a number of requirements that agencies must meet

when they issue regulations. These requirements are designed to support the development of quality regulations and protect the rights of people affected by agencies' rules. These requirements are contained in the Administrative Procedure Act, the Regulatory Flexibility Act as amended by the Small Business Regulatory Enforcement Fairness Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the National Technology Transfer and Advancement Act. Materials on most of these laws are available on the internet at

<http://www.law.cornell.edu/uscode/>.

We encourage you to participate in the rulemaking process to make your views known and help us develop rules that:

- Protect human health,
- Preserve and enhance the environment, and
- Meet environmental goals without unnecessary burden.

You can do this by commenting on proposed rules that we publish in the **Federal Register** and post on our internet site. We will consider your comments and address them before issuing a final rule. To be most effective, comments should contain information and data which support your position, and you should explain why we should incorporate your suggestion in the final rule.

EPA actively encourages public participation in our rulemaking process. If you are interested in a particular rulemaking listed in the Agenda, contact the individual listed in the Agenda entry. Areas in which we are initiating regulatory action are listed in the Proposed Rules sections of this Agenda. Areas under consideration for regulatory action are listed in the Prerule sections.

In addition to rules, we also have included in this Agenda some of our more important guidance documents. While these documents do not have the force and effect of law because they are not legally binding on EPA or outside parties, they will guide our thinking in major policy areas, and we also invite you to participate in developing these documents.

EPA's Regulatory Philosophy and Priorities

For 3 years, EPA has pursued an unprecedented agenda for consistently delivering cleaner, cheaper, smarter

results from environmental and public health programs. EPA developed this agenda in response to Vice President Gore's challenge to all Federal agencies to reinvent Government so that it works better and costs less for the American people. At EPA, it involves streamlining and innovating within proven programs and testing more holistic approaches with the potential to better address unresolved problems that threaten public health and the natural environment. In these ways, EPA is bringing about progressive improvements in several key areas, including:

- **Greater Public Access to Information—**Because Americans have a right to know about environmental risks in their communities and because an informed, knowledgeable public can play a meaningful role in solving tough problems, EPA is working to provide information in ways that are more understandable, accessible, and timely.
- **More Flexibility To Obtain Better Results—**In an effort to obtain better results, EPA is providing businesses and communities with more flexibility in how they fulfill their public health and environmental protection responsibilities. By conditioning this offer on a record of proven performance and public accountability, EPA ensures that strong protection will be maintained and creates an incentive for facilities to improve performance.
- **Stronger Partnerships—**Because many of today's problems cannot be addressed through regulatory action alone, EPA is reaching out to diverse stakeholders to bring all available expertise and resources to bear on the job of protecting public health and the environment.
- **More Compliance Assistance—**While the Agency's record of enforcing against environmental law-breakers is stronger than ever before, EPA is offering more assistance to help well-intentioned communities and businesses achieve and maintain compliance with environmental laws.
- **Less Paperwork and Red Tape—**To ensure that environmental managers in the public and private sectors can focus on the areas of greatest risk, EPA is simplifying and reducing paperwork and regulatory requirements that do not contribute to public health or environmental protection.

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EPA also follows each of the regulatory principles laid out by President Clinton in "Regulatory Planning and Review" (Executive Order 12866) including:

- Considering alternatives to direct regulation;
- Basing regulations on the best reasonably available scientific, technical, economic, and other information on the need for and the expected consequences of the intended regulation;
- Consistent with obtaining the objectives of the law, tailoring regulations to impose the least burden on society, including, in particular, the least burden on small businesses, communities, and nonprofit organizations; and
- Writing clear regulations with the goal of minimizing the potential for uncertainty and litigation.

How the Agenda Is Organized

We have organized the Agenda:

- First, by the law that would authorize a particular regulation;
- Second, by the current stage of development (proposal, final, etc.); and
- Third, by the section number of the statute which requires or authorizes the rule.

The following 13 sections deal with 12 laws that EPA administers and a thirteenth broader section called "General" that includes cross-cutting actions, such as general acquisition rules and rules authorized by multiple statutes:

1. General
2. The Clean Air Act (CAA)
3. The Atomic Energy Act (AEA)
4. The Federal Fungicide, Insecticide, and Rodenticide Act (FIFRA)
5. The Toxic Substances Control Act (TSCA)
6. The Emergency Planning and Community Right-to-Know Act (EPCRA)
7. The Resource Conservation and Recovery Act (RCRA)
8. The Oil Pollution Act (OPA)
9. The Comprehensive Environmental Response, Compensation, and Liability Act [Superfund] (CERCLA)
10. The Clean Water Act (CWA)
11. The Safe Drinking Water Act (SDWA)
12. The Marine Protection, Research, and Sanctuaries Act (MPRSA)
13. The Shore Protection Act (SPA)

In each of these 13 sections there are up to five headings covering the following stages of rulemaking:

1. Prerulemakings—Prerulemaking actions are intended to determine whether EPA should initiate rulemaking. Prerulemakings may include anything that influences or leads to rulemaking, such as advance notices of proposed rulemaking (ANPRMs), significant studies or analyses of the possible need for regulatory action, requests for public comment on the need for regulatory action, or important preregulatory policy proposals. We only include actions in this section if we expect to make a decision about whether to develop a rule within the next year. If we expect that it will take more than a year to reach this decision, the action is listed in the "Long-Term" section described below.
2. Proposed Rules—This section includes EPA rulemaking actions that are within a year of proposal (publication of Notices of Proposed Rulemakings, NPRMs).
3. Final Rules—This section includes rules that are within a year of final promulgation.
4. Long-Term Actions—This section includes prerulemakings, proposed, and final rules with expected publication dates beyond the next 12 months.
5. Completed Actions—This section contains actions that have been promulgated and published in the **Federal Register** since the October 1997 Agenda was published. It also includes actions that we are no longer considering. If an action appears in the completed section, it will not appear in future Agendas unless we decide to initiate action again, in which case it will appear as a new entry.

You should note that the listings do not include certain specialized categories of actions (e.g., EPA approvals of State plans and other actions that do not apply nationally) or routine actions (e.g., pesticide tolerances and minor amendments to existing rules). There is no legal significance to the omission of an item from the Agenda.

Agenda Entries

Agenda entries include the following types of information, where applicable: *Sequence Number*: This indicates where the entry appears in the Unified Agenda

of Federal Regulatory and Deregulatory Actions.

Title: The notation "Section 610 Review" follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the Regulatory Flexibility Act (5 U.S.C. 610). Titles for new entries (those that haven't appeared in previous Agendas) are preceded by a bullet (•).

Priority: Entries are placed into one of five categories described below. Also, if we believe that a rule may be "major" as defined in section 804 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) (5 U.S.C. 804; Pub.L. 104-121) because it is likely to result in an annual effect on the economy of \$100 million or more or meets other criteria specified in this law, we indicate this under the "Priority" heading.

Economically Significant: As defined in Executive Order 12866, a rulemaking action that will have an annual effect on the economy of \$100 million or more or will adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

Other Significant: A rulemaking that is not economically significant but is considered significant by the agency. This category includes rules that are an EPA priority and rules that EPA anticipates will be reviewed by the Office of Management and Budget under E.O. 12866 because they are likely to:

- create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients; or
- raise novel legal or policy issues.

Substantive, Nonsignificant: A rulemaking that has substantive impacts but is neither Significant, nor Routine and Frequent, nor Informational/Administrative/Other.

Routine and Frequent: A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.

Informational/Administrative/Other: A rulemaking that is primarily

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informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Agenda to inform the public of the activity.

Legal Authority: The section(s) of the United States Code (U.S.C.), Public Law (P.L.), Executive Order (E.O.), or common name of the law that authorize(s) the regulatory action.

CFR Citation: The section(s) of the Code of Federal Regulations that will be affected by the action.

Legal Deadline: An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

Abstract: A brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, the alternatives that the agency is considering to address the problem; and the potential advantages and disadvantages of the action.

Timetable: The dates and citations that documents for this action were published in the **Federal Register** and, where possible, a projected date for the next step. Projected publication dates frequently change during the course of a rule development. The projections in the Agenda are our best estimates as of the date we submit the Agenda for publication. If a date appears in this section as 00/00/00, the date of the action is currently undetermined.

"Undetermined" indicates we are very uncertain about the date of completion of the action we will take next. Dates in 2000 or later are printed in the same form as other dates, using the last two digits of the year.

Small Entities Affected: Indicates whether the rule is expected to have at least minimal effects on any "small entities" and, if so, whether the small entities are businesses, governmental jurisdictions, or organizations. Small business is generally defined according to the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and elaborated on by the Small Business Administration. Generally firms employing fewer than 500 people are considered small businesses. Small governments are those jurisdictions with a population of less

than 50,000, and small nonprofit organizations are those that are not dominant in their field.

Government Levels Affected: Indicates whether the rule is expected to affect levels of government and, if so, whether the governments are State, local, tribal, or Federal.

Analyses: The kinds of analyses we do for each rule varies with the nature and significance of the rule. Certain laws require specific types of analyses. For example, the Regulatory Flexibility Act requires a special kind of analysis if a rule is likely to have a significant impact on a substantial number of small entities. In this section of the Agenda, we note if we will be preparing a Regulatory Flexibility Analysis or a regulatory impact analysis.

Unfunded Mandates: Section 202 of the Unfunded Mandates Reform Act requires an assessment of anticipated costs and benefits if a rule includes a mandate that may result in expenditures of more than \$100 million in any 1 year by State, local, and tribal governments, in the aggregate, or by the private sector. If the section 202 threshold is expected to be exceeded, we note that in this section.

Reinventing Government: If an action is part of the President's Reinventing Government Initiative, we indicate it here.

Agency Contact: The name, address, phone number, and e-mail address, if available, of a person who is knowledgeable about the regulation.

SAN Number: A code number that EPA uses to identify and track rulemakings.

RIN Number: A code number that OMB uses to identify and track rulemakings.

Regulatory Flexibility Act Considerations

The Regulatory Flexibility Act (RFA) requires that an agency prepare a Regulatory Flexibility Analysis for any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a "significant economic impact on a substantial number of small entities" (i.e., small governments, small businesses, and small nonprofit organizations). A Regulatory Flexibility Analysis must identify the extent to which small entities will be subject to

the rule's requirements, as well as any significant alternatives to the rule which accomplish the objectives of applicable statutes and which minimize any significant economic impacts on small entities.

In the Agenda, we have identified those rules that we believe will, if promulgated, impose at least minimal requirements on any small entities by indicating in the "Small Entities Affected" section the category of small entities that may be subject to the rule requirements. The Agenda also indicates in the "Analysis" section whether we expect to prepare a full Regulatory Flexibility Analysis for a particular rule because current information indicates that the rule will likely have a significant economic impact on a substantial number of small entities. (See "Environmental Protection Agency: Index to Entries That May Affect Small Entities" at the end of this document. You should note that EPA's practice with regard to inclusion in this index differs from that of most other executive branch agencies in that we include rules that have any adverse impact at all, not simply those with significant and substantial impacts.) We invite public comment on our assessment of those rules which are likely to warrant a Regulatory Flexibility Analysis because of the extent of their potential adverse impact on small entities.

Section 610 of the RFA requires that an agency review within 10 years of promulgation those regulations that have or will have a significant economic impact on a substantial number of small entities. These reviews are undertaken to determine whether the rule should continue unchanged, be amended, or be withdrawn. Rules subject to section 610 review for 1998 are listed in the "Prerule" sections of this Agenda, and we designate them by placing "Section 610 Review" after the title of the action. We may add additional rules subject to section 610 review in the fall 1998 Agenda. Also, in the fall 1998 Agenda we will publish the results of previous section 610 reviews.

Dated: March 13, 1998.

Robert Wolcott,

Acting Deputy Assistant Administrator, Office of Policy, Planning, and Evaluation.

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General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3148	SAN No. 4021 Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance	2020-AA36
3149	SAN No. 4056 Utilization of Small, Minority and Women's Business Enterprises in Procurement under Assistance Agreements	2020-AA39
3150	SAN No. 3736 Revision to 40 CFR 35 Subpart A and Promulgation of Performance Partnership (State) Grant Regulation	2030-AA55
3151	SAN No. 4128 Revision to 40 CFR Subpart A and Promulgation of Performance Partnership (Tribal) Grant Rule	2030-AA56
3152	SAN No. 3580 Incorporation of Class Deviation Into EPAAR	2030-AA37
3153	SAN No. 3629 EPA Mentor-Protege Program	2030-AA40
3154	SAN No. 3876 Incrementally Funding Fixed Price Contracts	2030-AA50
3155	SAN No. 3874 Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51
3156	SAN No. 3854 Value Engineering	2030-AA49
3157	SAN No. 2662 Amendments to Part 22 Consolidated Procedural Rules	2020-AA13
3158	SAN No. 3817 Implementation of Changes to 40 CFR Part 32 as a Result of the Federal Acquisition Streamlining Act (FASA)	2030-AA48
3159	SAN No. 3807 Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3160	SAN No. 3671 Guidelines for Carcinogen Risk Assessment	2080-AA06
3161	SAN No. 3624 Guidelines for Neurotoxicity Risk Assessment	2080-AA08
3162	SAN No. 3240 Public Information and Confidentiality Regulations	2020-AA21

General—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3163	SAN No. 3933 Environmental Impact Assessment of Nongovernmental Activities in Antarctica	2020-AA34

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3164	SAN No. 4037 Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments	2030-AA54
3165	SAN No. 3670 Proposed Guidelines for Ecological Risk Assessment	2080-AA07
3166	SAN No. 2940 Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act	2020-AA30
3167	SAN No. 3879 Update Procedures for Making Profit/Fee Determinations	2030-AA53
3168	SAN No. 3816 EPA's Implementation of Federal Acquisition Streamlining Act (FASA) Changes to Truth in Negotiations Act (TINA)	2030-AA47

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3169	SAN No. 3986 Consolidated Emission Reporting Rule	2060-AH25
3170	SAN No. 4078 Control of Emissions of Air Pollution from New Marine Diesel Engines at or above 37 Kilowatts ...	2060-AH50
3171	SAN No. 4120 Protection of Stratospheric Ozone: Development of an HCFC Allowance Distribution System	2060-AH67

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Clean Air Act (CAA)—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3172	SAN No. 4095 Findings of Significant Contribution and Rulemaking on Section 126 Petitions from Eight North-eastern States For Purposes of Reducing Interstate Ozone Transport	2060-AH88
3173	SAN No. 4082 Wet-formed Fiberglass Mat Production NESHAP	2060-AH89
3174	SAN No. 4136 NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants (Section 610 Review)	2060-AI05

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3175	SAN No. 4042 Clean Fuel Fleet Program; Rule Amendment	2060-AH56
3176	SAN No. 4110 Alumina Processing NESHAP	2060-AH70
3177	SAN No. 3978 Revisions to Service Information Availability Requirements	2060-AH28
3178	SAN No. 3916 Urban Bus Retrofit/Rebuild Program Regulations Amendment	2060-AH45
3179	SAN No. 4038 Federal Implementation Plan for a Fifteen Percent Reduction in Volatile Organic Compounds in the District of Columbia	2060-AH51
3180	SAN No. 3263 Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3181	SAN No. 3262 Inspection/Maintenance Recall Requirements	2060-AE22
3182	SAN No. 3380 NSPS: Synthetic Organic Chemicals Manufacturing Industry - Wastewater	2060-AE94
3183	SAN No. 3407 Method 301: Field Validation of Pollution Measurement Methods for Various Media	2060-AF00
3184	SAN No. 3549 NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants	2060-AF28
3185	SAN No. 3082 NESHAP: Ferroalloy Production	2060-AF29
3186	SAN No. 3553 Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations	2060-AF34
3187	SAN No. 3516 Radiation Waste Management Regulations	2060-AF41
3188	SAN No. 3569 Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands	2060-AF42
3189	SAN No. 3649 Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3190	SAN No. 3637 Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3191	SAN No. 3638 Revision of EPA's Radiological Emergency Response Plan	2060-AF85
3192	SAN No. 3598 Amendment of Enhanced Inspection/Maintenance Performance Standard	2060-AG07
3193	SAN No. 3568 Environmental Radiation Protection Standards for Yucca Mountain, Nevada	2060-AG14
3194	SAN No. 3744 Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements (PS-1)	2060-AG22
3195	SAN No. 3748 Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry	2060-AG28
3196	SAN No. 3808 Acid Rain Program: Continuous Emission Monitoring (CEM) Rule Revisions	2060-AG46
3197	SAN No. 3810 Protection of Stratospheric Ozone: Reconsideration of Petition Criteria and Incorporation of Montreal Protocol Decisions	2060-AG48
3198	SAN No. 3812 Environmental Radiation Protection Standards for Scrap Metal from Nuclear Facilities	2060-AG51
3199	SAN No. 3922 Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3200	SAN No. 3913 Revision to the Light-Duty Vehicle Emission Compliance Procedure	2060-AH05
3201	SAN No. 3945 Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group (OTAG) Region for Purposes of Reducing Regional Transport of Ozone	2060-AH10
3202	SAN No. 3915 Technical Amendments for Non-Road Compression Ignition Engines	2060-AH33
3203	SAN No. 3910 Streamlined Evaporative Test Procedures	2060-AH34
3204	SAN No. 3975 Review of Minor New Sources and Modifications in Indian Country	2060-AH37
3205	SAN No. 3977 Revisions to Clarify the Permit Content Requirements for State Operating Permits	2060-AH46
3206	SAN No. 4046 Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matter	2060-AH53
3207	SAN No. 4035 Protection of Stratospheric Ozone: Interpretation of Methyl Bromide Labeling Requirements	2060-AH54
3208	SAN No. 4045 Rulemaking to Modify the List of Source Categories from which Fugitive Emissions are Considered in Major Source Determinations	2060-AH58
3209	SAN No. 4032 Transportation Conformity for Transitional Ozone Areas	2060-AH59
3210	SAN No. 4052 Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act	2060-AH60

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Clean Air Act (CAA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3211	SAN No. 4067 Acid Rain Program: Determination on Section 75.7 (EPA Study of Bias Test) and Section 75.8 (Relative Accuracy and Availability Analysis)	2060-AH64
3212	SAN No. 4126 Amendments to the Wood Furniture Manufacturing Operations NESHAP	2060-AH66
3213	SAN No. 4106 Final Rule to Amend the National Emission Standards for Magnetic Tape Manufacturing Operations	2060-AH71
3214	SAN No. 4103 NESHAP: Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and and Other Processes Subject to the Negotiated Regulation for Equipment	2060-AH81
3215	SAN No. 4119 Performance Specification 16 - Specifications and Test Procedures for Predictive Emission Monitoring Systems in Stationary Sources	2060-AH84
3216	SAN No. 4096 Federal Implementation Plans to Reduce the Regional Transport of Ozone in the Eastern United States; Proposed Rules	2060-AH87
3217	SAN No. 4003 Technical Change to Dose Methodology for 40 CFR 191, Subpart A	2060-AH90
3218	SAN No. 4076 Supplemental Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone	2060-AH91
3219	SAN No. 4073 Revisions to the Pollutant Standard Index and Significant Harm Level Programs for Ozone and Particulate Matter	2060-AH92
3220	SAN No. 4070 General Conformity Regulations; Revisions	2060-AH93
3221	SAN No. 4127 Alternative Flare Specifications for Hydrogen Fueled Flares	2060-AH94
3222	SAN No. 4108 NESHAP: Off-site Waste and Recovery Operations; Final Rule—for Settlement Agreement; and NESHAP for Off-site Waste and Recovery Operations for Technical Amendments	2060-AH96
3223	SAN No. 4130 Proposed Revision of Test Method 1, 2 and 2F for Measuring Volumetric Flow in Stacks	2060-AH97
3224	SAN No. 3893 Review of Operating Permits Issued by Indian Tribes	2060-AH98
3225	SAN No. 4077 Protection of Stratospheric Ozone: Reconsideration on the Section 610 Nonessential Products Ban	2060-AH99
3226	SAN No. 3951 New Nonroad Spark-Ignition Engines at or Below 19 Kilowatts, Minor Amendments to the Phase I Emission Standards	2060-AI02
3227	SAN No. 4129 Notice of Temporary Stay, Notice of Proposed Compliance Extension; Equivalency Determination for National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent	2060-AI04
3228	SAN No. 3470 Next Revision of Appendix W to 40 CFR Part 51	2060-AF01
3229	SAN No. 3105 (Air), SAN No. 2712 (Water), SAN No. 4050 (Water Integrated NESHAP and Effluent Guidelines: Pulp and Paper)	2060-AD03
3230	SAN No. 3228 NESHAP for the Manufacturing of Amino and Phenolic Resins (Polymers and Resins Group III) ..	2060-AE36
3231	SAN No. 3340 NESHAP: Primary Copper Smelting	2060-AE46
3232	SAN No. 3078 NESHAP: Secondary Aluminum Industry	2060-AE77
3233	SAN No. 3079 NESHAP: Portland Cement Manufacturing	2060-AE78
3234	SAN No. 3467 NESHAP: Primary Lead Smelters	2060-AE97
3235	SAN No. 3378 NESHAP: Acrylic/Modacrylic Fibers Manufacturing	2060-AF06
3236	SAN No. 3465 NESHAP: Polycarbonates Production	2060-AF09
3237	SAN No. 3377 NESHAP: Publicly Owned Treatment Works (POTW)	2060-AF26
3238	SAN No. 3550 NESHAP: Baker's Yeast Manufacturing Industry	2060-AF30
3239	SAN No. 3551 Amendments to General Provisions Subpart A and B for 40 CFR 63	2060-AF31
3240	SAN No. 3791 Revision of List of Categories of Sources and Schedule for Standards Under Section 112 of the Clean Air Act	2060-AG42
3241	SAN No. 3821 NESHAP: Ethylene Processes	2060-AG53
3242	SAN No. 3829 Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities 112(l)	2060-AG60
3243	SAN No. 3655 NESHAP: Asphalt Roofing and Processing	2060-AG66
3244	SAN No. 3901 Generic MACT for Source Categories (Acrylic Modacrylic Fibers, Polycarbonates Hydrogen Fluoride and Acetal Resins)	2060-AG91
3245	SAN No. 3654 NESHAP: Hydrogen Fluoride Production	2060-AG94
3246	SAN No. 2965 NESHAP: Wood Furniture Manufacturing Operations; Technical Corrections and Clarifications	2060-AG95
3247	SAN No. 3908 Offset Lithographic Printing National VOC Rule	2060-AH00
3248	SAN No. 2841 NESHAP: Chromium Electroplating Amendment	2060-AH08
3249	SAN No. 3959 National Strategy for Urban Area Sources of Toxic Air Emissions	2060-AH21
3250	SAN No. 3973 NESHAP: Flexible Polyurethane Foam Fabrication Operations	2060-AH42
3251	SAN No. 3939 NESHAP: Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins	2060-AH47
3252	SAN No. 3479 Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AI01

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Clean Air Act (CAA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3253	SAN No. 3919 Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas	2060-AH01
3254	SAN No. 3645 Control of Emissions of Air Pollution from Highway Heavy-Duty Engines and Diesel Engines	2060-AF76
3255	SAN No. 3139 Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines; Amendment	2060-AD90
3256	SAN No. 3979 Review of Federal Test Procedures for Emissions from Motor Vehicles; Test Procedure Adjustments to Fuel Economy and Emission Test Results	2060-AH38
3257	SAN No. 3091 Specification of Substantially Similar Definition for Diesel Fuels	2060-AD77
3258	SAN No. 3560 Refrigerant Recycling Rule Amendment To Include All Refrigerants	2060-AF37
3259	SAN No. 3673 Protection of Stratospheric Ozone: Reconsideration of Section 608 Sales Restriction	2060-AG20
3260	SAN No. 3983 Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants other than CFC-12 and HFC-134a	2060-AH29
3261	SAN No. 3640 Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label	2060-AF93

Clean Air Act (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3262	SAN No. 4115 Chromium Electroplating NESHAP Amendment	2060-AH69
3263	SAN No. 3898 1998 Revision of Acid Rain Allowance Allocations	2060-AG86
3264	SAN No. 2961 Locomotive Emission Standards	2060-AD33
3265	SAN No. 3259 New Source Review (NSR) Reform	2060-AE11
3266	SAN No. 3573 Acid Rain Program: Deletion of Certain Units	2060-AF46
3267	SAN No. 2915 Methods for Measurement of Visible Emissions - Addition of Methods 203A, 203B, and 203C to Appendix M of Part 51	2060-AF83
3268	SAN No. 3643 Sales Volume Limit Provisions for Small-Volume Manufacture Certification for Clean Fuel and Conventional Vehicle Conversions and Related Provisions	2060-AF87
3269	SAN No. 3743 Amendments to Part 60, Part 61, and Part 63 and Addition of Method 14A to Part 60	2060-AG21
3270	SAN No. 3750 Regulation Review/Burden Reduction	2060-AG30
3271	SAN No. 3835 Amendment to the User Fees for Radon Proficiency Programs Rule	2060-AF64
3272	SAN No. 3873 Waste Isolation Pilot Plant (WIPP) Compliance Certification Rulemaking	2060-AG85
3273	SAN No. 3900 Addition of Method 207 to Appendix M of 40 CFR Part 51 - Method for Measuring Isocyanates in Stationary Source Emissions	2060-AG88
3274	SAN No. 3868 Federal Operating Permits Program in Indian Country	2060-AG90
3275	SAN No. 3911 Tier II (Phase II) Study to Assess Further Reductions in Light-Duty Vehicles (LDV) and Light-Duty Trucks (LDT) Tailpipe Emission Standards	2060-AH04
3276	SAN No. 3912 Emission Regulations for 1978 and Later New Motorcycles— Proposed Changes to the Definition of Weight Limitations for Motorcycles	2060-AH06
3277	SAN No. 3958 Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)	2060-AH23
3278	SAN No. 3982 Protection of Stratospheric Ozone: Control of Methyl Bromide Emissions Through Use of Tarps ...	2060-AH26
3279	SAN No. 3943 Revision of Definition of Volatile Organic Compounds - Exclusion of Methyl Acetate	2060-AH27
3280	SAN No. 3981 Revisions for Opting Into the Acid Rain Program	2060-AH36
3281	SAN No. 3984 Ban the Sale of Halon Blends and the Intentional Release of Halons During Testing and Training	2060-AH44
3282	SAN No. 4030 Expanded Engine Family Definitions for Alternative Fueled Vehicles and Engines Meeting Low-Emission Vehicle (LEV) Exhaust Emission Standards, Fee Exemption, and Related Provisions	2060-AH52
3283	SAN No. 4033 Inspection/Maintenance (I/M) Program Requirement - On-Board Diagnostic Checks; Amendment to the Final Rule	2060-AH62
3284	SAN No. 4123 National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Amendments to the Promulgated Rule	2060-AH74
3285	SAN No. 4125 Electric Arc Furnace NSPS Amendment	2060-AH95
3286	SAN No. 3168 NESHAP: Petroleum Refineries - Amendments to Final Rule	2060-AI00
3287	SAN No. 1002. NAAQS: Sulfur Dioxide (Review and Implementation)	2060-AA61
3288	SAN No. 3461 NESHAP: Mineral Wool Production Industry	2060-AE08
3289	SAN No. 3303 NESHAP: Phosphoric Acid Manufacturing	2060-AE40
3290	SAN No. 3345 NESHAP: Steel Pickling, HC1 Process	2060-AE41
3291	SAN No. 3304 NESHAP: Phosphate Fertilizers Production	2060-AE44
3292	SAN No. 3123 NESHAP: Wool Fiberglass Manufacturing Industry	2060-AE75

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Clean Air Act (CAA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3293	SAN No. 3408 NESHAP: Polyether Polyols Production	2060-AE81
3294	SAN No. 3451 NESHAP: Pharmaceuticals Production	2060-AE83
3295	SAN No. 3450 NESHAP: Pesticide Active Ingredient Production (Production of Agricultural Chemicals)	2060-AE84
3296	SAN No. 3338 NESHAP: Flexible Polyurethane Foam Production	2060-AE86
3297	SAN No. 3469 NESHAP: Manufacture of Tetrahydrobenzaldehyde	2060-AE99
3298	SAN No. 2547 NESHAP: Radon Emissions From Phosphogypsum Stacks	2060-AF04
3299	SAN No. 3836 Technical Amendments to Aerospace NESHAP	2060-AG65
3300	SAN No. 3960 Specific Pollutants: List of Categories Emitting 7 Specified Hazardous Air Pollutants	2060-AH20
3301	SAN No. 2937 Field Citation Program	2020-AA32
3302	SAN No. 3604 Standards for Reformulated and Conventional Gasoline, Individual Baseline Fuel Adjustments	2060-AG80
3303	SAN No. 3610 Transportation Conformity Rule Amendment and Solicitation for Participation in the Pilot Program	2060-AG79
3304	SAN No. 3281 National VOC Emission Standards for Automobile Refinish Coatings	2060-AE35
3305	SAN No. 3351 VOC Regulation for Architectural Coatings	2060-AE55
3306	SAN No. 3658 National VOC Emission Standards for Consumer Products	2060-AF62
3307	SAN No. 3828 Reduction of Volatile Organic Compound (VOC) Emissions from Coatings Used in the Aerospace, Wood Furniture, and Shipbuilding Industries Under Clean Air Act Section 183(e)	2060-AG59
3308	SAN No. 3660 Open-Market Trading Guidance	2060-AF60
3309	SAN No. 3300 Revised Carbon Monoxide (CO) Standard for Class I and II Nonhandheld New Nonroad Phase I Small Spark-Ignited Engines	2060-AG81
3310	SAN No. 2665 Importation of Nonconforming Vehicles; Amendments to Regulations	2060-AI03
3311	SAN No. 3843 Revision to the Covered Areas Provision for Reformulated Gasoline	2060-AG77
3312	SAN No. 3842 Applicability of On-Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment; Amendment	2060-AG78
3313	SAN No. 3361 Nonroad Spark-Ignition Engines At or Below 19 Kilowatts (25 Horsepower) (Phase 2)	2060-AE29
3314	SAN No. 3352 NSPS: Nitrogen Oxide Emissions From Fossil-Fuel Fired Steam Generating Units—Revision	2060-AE56
3315	SAN No. 3556 Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3316	SAN No. 3525 Update of the Acceptability List Under the Significant New Alternatives Policy (SNAP) Program	2060-AG12
3317	SAN No. 3792 Technical Amendments to Hazardous Waste Treatment Storage and Disposal Facilities and Hazardous Waste Generators: Organic Air Emission Standards for Tanks, Surface Impoundments and Containers	2060-AG44

Clean Air Act (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3318	SAN No. 4105 Carbon Black Production NESHAP	2060-AH68
3319	SAN No. 3229 NESHAP: Oil and Natural Gas Production	2060-AE34
3320	SAN No. 3343 NESHAP: Iron Foundries and Steel Foundries	2060-AE43
3321	SAN No. 3341 NESHAP: Cyanide Chemical Manufacturing	2060-AE45
3322	SAN No. 3346 NESHAP: Integrated Iron and Steel	2060-AE48
3323	SAN No. 3837 NESHAP: Industrial, Commercial and Institutional Boilers and Process Heaters	2060-AG69
3324	SAN No. 3962 NESHAP: Manufacture of Carbon Black	2060-AH19
3325	SAN No. 3412 Operating Permits: Revisions (Part 70)	2060-AF70
3326	SAN No. 3741 Service Information Availability	2060-AG13
3327	SAN No. 3819 NSPS: Sewage Sludge Incinerators	2060-AG50
3328	SAN No. 3820 NESHAP: Plywood and Particle Board Manufacturing	2060-AG52
3329	SAN No. 3970 NESHAP: Miscellaneous Cellulose Production	2060-AH11
3330	SAN No. 3969 NESHAP: Municipal Solid Waste Landfills	2060-AH13
3331	SAN No. 3966 Storage Tank Rule Revisions	2060-AH15
3332	SAN No. 3917 Transportation Conformity Rule Amendment: Clarification of Trading Provisions	2060-AH31
3333	SAN No. 4022 NESHAP: Coke Ovens: Pushing, Quenching, & Battery Stacks	2060-AH55
3334	SAN No. 4111 Fumed Silica Production NESHAP	2060-AH72
3335	SAN No. 4102 Maximum Achievable Control Technology NESHAP for Taconite Iron Ore Processing	2060-AH73
3336	SAN No. 4104 National Emission Standards for Hazardous Air Pollutants for the Hydrochloric Acid Production	2060-AH75
3337	SAN No. 4116 NESHAP: Ammonium Sulphate Production (Caprolactam By-Product)	2060-AH77
3338	SAN No. 4107 NESHAP: Asphalt / Coal Tar Application on Metal Pipes	2060-AH78
3339	SAN No. 4113 NESHAP: Clay Products Manufacturing	2060-AH79

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Clean Air Act (CAA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3340	SAN No. 4112 NESHAP: Hydrogen Chloride Production	2060-AH80
3341	SAN No. 4114 NESHAP: Polyvinyl Chloride Production	2060-AH82
3342	SAN No. 4098 NESHAP: Uranium Hexafluoride Production	2060-AH83
3343	SAN No. 3656 NESHAP/NSPS: Reciprocating Internal Combustion Engine	2060-AG63
3344	SAN No. 3657 NESHAP/NSPS: Combustion Turbine	2060-AG67
3345	SAN No. 3326 NESHAP: Reinforced Plastic Composites Production	2060-AE79
3346	SAN No. 3452 NESHAP: Miscellaneous Organic Chemical Production and Processes	2060-AE82
3347	SAN No. 3449 NESHAP: Chlorine Production	2060-AE85
3348	SAN No. 3746 NESHAP: Paint Stripper Users	2060-AG26
3349	SAN No. 3747 NESHAP: Boat Manufacturing	2060-AG27
3350	SAN No. 3749 NESHAP: Tire Manufacturing	2060-AG29
3351	SAN No. 3754 Petroleum Solvent Dry Cleaners Maximum Achievable Control Technology (MACT) Standard	2060-AG34
3352	SAN No. 3823 Large Appliance (Surface Coating) NESHAP/VOC Reductions	2060-AG54
3353	SAN No. 3652 NESHAP: Refractories Manufacturing	2060-AG68
3354	SAN No. 3651 NESHAP: Lime Manufacturing	2060-AG72
3355	SAN No. 3872 Industrial Combustion Coordinated Rulemaking - ICCR Project	2060-AG84
3356	SAN No. 3899 NESHAP: Friction Products Manufacturing	2060-AG87
3357	SAN No. 3902 NESHAP: Semiconductor Production	2060-AG93
3358	SAN No. 3906 NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3359	SAN No. 3905 NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3360	SAN No. 3909 NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3361	SAN No. 3907 Automobile and Light-Duty Truck Manufacturing (Surface Coating) NESHAP/VOC Reductions	2060-AG99
3362	SAN No. 3924 NESHAP: Primary Magnesium Refining	2060-AH03
3363	SAN No. 3968 NESHAP: Site Remediation	2060-AH12
3364	SAN No. 3967 NESHAP: Spandex Production	2060-AH14
3365	SAN No. 3964 NESHAP: Leather Tanning and Finishing Operations	2060-AH17
3366	SAN No. 3903 NESHAP: Vegetable Oil Production	2060-AH22
3367	SAN No. 3972 NESHAP: Rocket Engine Test Firing/Engine Test Facilities	2060-AH35
3368	SAN No. 3971 NESHAP: Organic Liquid Distribution	2060-AH41
3369	SAN No. 2939 Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2020-AA31
3370	SAN No. 3613 NSPS: New Source Performance Standards and Emission Guidelines for Industrial and Commercial Waste Incinerators	2060-AF91
3371	SAN No. 3751 NSPS: New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3372	SAN No. 3824 Metal Furniture (Surface Coatings) NESHAP/VOC Reductions	2060-AG55
3373	SAN No. 3825 Miscellaneous Metal Parts and Products (Surface Coating) NESHAP/VOC Reductions	2060-AG56
3374	SAN No. 3826 Plastic Parts (Surface Coating) NESHAP/VOC Reductions	2060-AG57
3375	SAN No. 3827 Paper and other Web Coating Reductions NESHAP/VOC Rule	2060-AG58
3376	SAN No. 3904 Flatwood Paneling (Surface Coating) NESHAP/VOC Reductions	2060-AH02

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3377	SAN No. 3914 Transportation Conformity Pilot Approval; Conformity SIP	2060-AH32
3378	SAN No. 3963 NESHAP: Cellulose Production Categories	2060-AH18
3379	SAN No. 2942 Compliance Assurance Monitoring Rule (Previously Enhanced Monitoring Rule)	2060-AD18
3380	SAN No. 3570 Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act	2060-AF43
3381	SAN No. 3572 Acid Rain Program: Revisions to Applicability, Exemptions, Allocations, and Small Diesel Refineries	2060-AF45
3382	SAN No. 3574 Acid Rain Program: Revisions to the Permits Regulations Under Title IV of the Clean Air Act To Make Technical Corrections	2060-AF47
3383	SAN No. 3576 Control of Air Pollution From Aircraft and Aircraft Engines; Emission Standards and Test Procedures	2060-AF50
3384	SAN No. 3650. Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead	2060-AG23

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Clean Air Act (CAA)—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3385	SAN No. 3845 Transitional Lock-In Procedures for Phase II Reformulated Gasoline (RFG) Program	2060-AG43
3386	SAN No. 3811 Radionuclide Dose Methodology Update	2060-AG49
3387	SAN No. 3832 Revision of PSI (Part 58 Appendix G)	2060-AG62
3388	SAN No. 3838 Revision of Definition of Volatile Organic Compounds - Exclusion of 16 Compounds	2060-AG70
3389	SAN No. 3944 Revision of Definition of Volatile Organic Compounds - Exclusion of Chlorobromomethane	2060-AH39
3390	SAN No. 4010 Regulation of Fuels and Fuel Additives: Proposed Minor Revisions to Selected Recordkeeping and Enforcement Provisions Under the Regulation of Deposit Control Gasoline Additives	2060-AH57
3391	SAN No. 4034 Inspection Maintenance Program Requirements; Minor Amendments to the Final Rule	2060-AH61
3392	SAN No. 3974 Ambient Air Quality Surveillance: Changes to Accommodate Revised Ozone NAAQS & Implementation Strategies	2060-AH30
3393	SAN No. 3072 NESHAP: Primary Aluminum Plants	2060-AE76
3394	SAN No. 3752 NESHAP: Aerosol Can Filling Facilities	2060-AG32
3395	SAN No. 3193 NESHAP: Secondary Lead Smelter Amendment	2060-AH07
3396	SAN No. 3948 Fuels and Fuel Additives; Elimination of Oxygenated Program Reformulated Gasoline Category from the Reformulated Gasoline Regulations	2060-AH43
3397	SAN No. 3646 Voluntary Standards for Light-Duty Vehicles (National 49 State Low-Emission Vehicles Program)	2060-AF75
3398	SAN No. 3844 Standards for Reformulated and Conventional Gasoline: Modifications	2060-AG76
3399	SAN No. 3789 Outer Continental Shelf Air Regulations Delegation Remand	2060-AG39
3400	SAN No. 3790 Outer Continental Shelf Air Regulations Offset Remand	2060-AG40
3401	SAN No. 3555 MVAC Rule Amendment to Include All Refrigerants	2060-AF35
3402	SAN No. 3087 Indian Tribes: Air Quality Planning and Management	2060-AF79

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3403	SAN No. 4054 Disposal of Low-Activity Radioactive Wastes	2060-AH63

Atomic Energy Act (AEA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3404	SAN No. 3602 Protective Action Guidance for Drinking Water	2060-AF39

Atomic Energy Act (AEA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3405	SAN No. 3321 Federal Radiation Protection Guidance for Exposure of the General Public	2060-AE61

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3406	SAN No. 3890 Tolerances for Pesticide Emergency Exemptions	2070-AD15
3407	SAN No. 3735 The 10-Acre Limitation for Pesticide Small-Scale Field Testing	2070-AC99
3408	SAN No. 3892 Antimicrobial Pesticide Products; Other Pesticide Regulatory Changes	2070-AD14
3409	SAN No. 4026 Exemption of Certain Pesticide Substances from FIFRA Requirements	2070-AD21
3410	SAN No. 4027 Pesticides; Tolerance Processing Fees	2070-AD23
3411	SAN No. 2687 Pesticide Registration Data Requirements (Revision) and Antimicrobial Registration Data Requirements (Revision)	2070-AC12

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Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3412	SAN No. 2659 Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3413	SAN No. 3135 Pesticide Flammability Labeling Requirements for Total Release Foggers	2070-AC60
3414	SAN No. 3731 WPS; Pesticide Worker Protection Standard; Glove Amendment	2070-AC93
3415	SAN No. 4025 Exemption of Certain Inert Ingredients from the Definition of Pesticide Chemical Residue under FFDCa	2070-AD20
3416	SAN No. 2684 Regulation of Plant-Produced Pesticides Under FIFRA and FFDCa	2070-AC02
3417	SAN No. 2371 Restricted Use Criteria for Pesticides in Groundwater	2070-AB60
3418	SAN No. 3222 Pesticides and Ground Water State Management Plan Regulation	2070-AC46
3419	SAN No. 3432 Pesticide Management and Disposal	2020-AA33

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3420	SAN No. 2444 Pesticide Tolerances; Portion of Food Commodities To Be Analyzed for Pesticide Residues	2070-AC45
3421	SAN No. 3636 Pesticide Labeling Claims	2070-AC85
3422	SAN No. 2725 FIFRA Books and Records of Pesticide Production and Distribution (Revision)	2020-AA28
3423	SAN No. 1640 WPS; Pesticide Worker Protection Standards; Pesticide Hazard Communication	2070-AC34
3424	SAN No. 2720 Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2020-AA29

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3425	SAN No. 3113. Endangered Species Protection Program	2070-AC42
3426	SAN No. 3932 Pesticides; Self-Certification	2070-AD00
3427	SAN No. 3737 WPS; Pesticide Worker Protection Standard Exceptions Generic	2070-AC95
3428	SAN No. 3733 WPS; Pesticides Worker Protection Standards; Scope and Clarification of the Exceptions Process	2070-AC96
3429	SAN No. 2639 Child-Resistant Packaging Regulations (Revision)	2070-AB96
3430	SAN No. 3738 Pesticide Export Policy	2070-AD02
3431	SAN No. 3630 Facility Identification Initiative	2070-AD01

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3432	SAN No. 3244 Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule	2070-AC64
3433	SAN No. 3882 Test Rule for Certain Metals	2070-AD10
3434	SAN No. 3148 Asbestos Model Accreditation Plan Revisions	2070-AC51
3435	SAN No. 3047 Asbestos-Containing Materials in Schools Rule; Amendments	2070-AC62
3436	SAN No. 2249 Asbestos Worker Protection Rule; Amendments	2070-AC66
3437	SAN No. 3834 TSCA Section 8(d) Health and Safety Data Model Reporting Rule Amendments	2070-AD17
3438	SAN No. 3881 Fees for Accreditation and Certification of Lead-Based Paint Activities; Procedure for Modification of Commencement of Lead-Based Paint Abatement Activities	2070-AD11

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Toxic Substances Control Act (TSCA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3439	SAN No. 3301 TSCA Inventory Update Rule Amendments	2070-AC61
3440	SAN No. 3243 Lead Hazard Standards	2070-AC63
3441	SAN No. 3508 Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris	2070-AC72
3442	SAN No. 3243 Lead; Selected Rulemakings for Abating Lead Hazards	2070-AD06
3443	SAN No. 3990 OECD SIDS High Production Volume Chemical Screening Test Rule	2070-AD16
3444	SAN No. 3494 Proposed Decisions on Test Rules	2070-AB07
3445	SAN No. 2245 Negotiated Consent Order and Test Rule Procedures	2070-AB30
3446	SAN No. 2563 ATSDR Substances Test Rule	2070-AB79
3447	SAN No. 2865 Multichemical Endpoint(s) Test Rule; Developmental and Reproductive Toxicity	2070-AC27
3448	SAN No. 1923 Follow-Up Rules on Existing Chemicals	2070-AA58
3449	SAN No. 3894 TSCA Biotechnology Follow-up Rules	2070-AD13
3450	SAN No. 3557 Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling	2070-AC83

Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3451	SAN No. 3493 Final Decisions on Test Rules	2070-AB94
3452	SAN No. 3487 Hazardous Air Pollutants Test Rule	2070-AC76
3453	SAN No. 3021 PCBs - Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule	2070-AC39
3454	SAN No. 2878 PCB - Polychlorinated Biphenyls (PCBs) Disposal Amendments	2070-AD04
3455	SAN No. 2779 Use of Acrylamide for Grouting	2070-AC17
3456	SAN No. 3242 Lead-Based Paint Disclosure Requirements at Renovation of Target Housing	2070-AC65
3457	SAN No. 1976 Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3458	SAN No. 3495 Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3459	SAN No. 2178 TSCA Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3460	SAN No. 1139 TSCA Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3461	SAN No. 3118 TSCA Section 8(e); Notice of Clarification and Solicitation of Public Comment	2070-AC80
3462	SAN No. 3559 Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substances	2070-AC84

Toxic Substances Control Act (TSCA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3463	SAN No. 2146 Regulatory Investigation of Formaldehyde	2070-AB14
3464	SAN No. 2844 Regulatory Investigation of Dioxin in Pulp and Paper Mill Sludge	2070-AC05
3465	SAN No. 3528 Significant New Use Rules on National Program Chemicals; Refractory Ceramic Fibers	2070-AC37
3466	SAN No. 3480 Development of Guidance as Mandated by Executive Order 12873, Section 503 on Environmentally Preferable Products	2070-AC78
3467	SAN No. 2150 PCBs; Polychlorinated Biphenyls; Exemptions From the Prohibitions against Manufacturing, Processing, and Distribution in commerce	2070-AB20
3468	SAN No. 3252 Lead; Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21

Toxic Substances Control Act (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3469	SAN No. 2560 PCBs; Procedures and Criteria for Termination of Polychlorinated Biphenyls (PCBs) Disposal Permits	2070-AB81

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Emergency Planning and Community Right-to-Know Act (EPCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3470	SAN No. 3880 TRI; Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know	2070-AD09

Emergency Planning and Community Right-to-Know Act (EPCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3471	SAN No. 3215 Emergency Planning and Community Right-To-Know Act: Amendments to Sections 302 Through 312	2050-AE17
3472	SAN No. 4029 Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment	2050-AE46
3473	SAN No. 3007 TRI; Chemical Expansion; Finalization of Deferred Chemicals	2070-AC47
3474	SAN No. 3877 TRI; Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know	2070-AD08
3475	SAN No. 4023 TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory	2070-AD19
3476	SAN No. 2425 TRI; Responses to Petitions Received To Add or Delete Chemicals From the Toxic Release Inventory	2070-AC00
3477	SAN No. 2847 TRI; Pollution Prevention Act Information Requirements	2070-AC24

Emergency Planning and Community Right-to-Know Act (EPCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3478	SAN No. 3994 Modification of the Extremely Hazardous Substance (EHS) List	2050-AE42
3479	SAN No. 3993 Modification of Threshold Planning Quantity for Isophorone Diisocyanate	2050-AE43
3480	SAN No. 4015 TRI; Review of Chemicals on the Original TRI List	2070-AD18

Emergency Planning and Community Right-to-Know Act (EPCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3481	SAN No. 3787 List of Regulated Substances and Thresholds for Accidental Release Prevention—Modifications ..	2050-AE35

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3482	SAN No. 4084 RCRA Reporting and Recordkeeping Burden Reduction; ANPRM	2050-AE50
3483	SAN No. 4093 Reinventing the Land Disposal Restrictions Program	2050-AE53
3484	SAN No. 4094 Land Disposal Restrictions; Potential Revisions for Mercury Listed and Characteristic Wastes; ANPRM	2050-AE54
3485	SAN No. 4090 RCRA Appendix VIII Streamlining; ANPRM	2050-AE55
3486	SAN No. 4134 Final Rule on Land Disposal Restrictions for First Third Scheduled Wastes (Section 610 Review)	2050-AE56
3487	SAN No. 4139 Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (Section 610 Review)	2050-AE57

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Resource Conservation and Recovery Act (RCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3488	SAN No. 4091 Modifications to RCRA Rules Associated With Solvent-Contaminated Shop Towels and Wipers	2050-AE51
3489	SAN No. 4092 Glass-to-Glass Recycling of Cathode Ray Tubes (CRTs): Changes to Hazardous Waste Regulations	2050-AE52
3490	SAN No. 3989 Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)	2050-AE41
3491	SAN No. 4028 Standardized Permit for RCRA Hazardous Waste Management Facilities	2050-AE44
3492	SAN No. 2872 Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General	2050-AD18
3493	SAN No. 3147 Hazardous Waste Manifest Regulation	2050-AE21
3494	SAN No. 3545 Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23
3495	SAN No. 3856 Management of Cement Kiln Dust (CKD)	2050-AE34

Resource Conservation and Recovery Act (RCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3496	SAN No. 3888 Mercury-Containing and Rechargeable Battery Management Act; Codification of Waste Management Provisions	2050-AE39
3497	SAN No. 4088 Recycled Used Oil Containing PCBs	2050-AE47
3498	SAN No. 3042 Hazardous Waste Management System: Post-Closure Requirements	2050-AD55
3499	SAN No. 3065 Listing Determination for Hazardous Wastes—Organobromines Chemical Industry	2050-AD79
3500	SAN No. 3134 Spent Solvents Listing Determination	2050-AD84
3501	SAN No. 3066 Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3502	SAN No. 3064 Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substance Designation	2050-AD88
3503	SAN No. 3237 Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps	2050-AD93
3504	SAN No. 3333 Revised Standards for Hazardous Waste Combustion Facilities	2050-AE01
3505	SAN No. 3366 Land Disposal Restrictions—Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues	2050-AE05
3506	SAN No. 2982 Requirements for Management of Hazardous Contaminated Media (Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media)	2050-AE22
3507	SAN No. 2390 Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
3508	SAN No. 2647 RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71
3509	SAN No. 2751 RCRA Subtitle D Solid Waste Facilities; State Permit Program— Determination of Adequacy (State Implementation Rule)	2050-AD03

Resource Conservation and Recovery Act (RCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3510	SAN No. 4017 Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste; Proposed Modifications	2050-AE45
3511	SAN No. 4083 Identification and Listing of Hazardous Waste; Inorganic Chemical Industry Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities	2050-AE49
3512	SAN No. 3050 Deletion of Saccharin From the List of Hazardous Wastes Under RCRA and the List of Hazardous Substances Under CERCLA	2050-AD45
3513	SAN No. 3428 Hazardous Waste Management System: Slag Residues Derived from High Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and F0006 Wastes	2050-AE15
3514	SAN No. 3668 Hazardous Waste Identification; Recycled Used Oil Management Standards	2050-AE28
3515	SAN No. 3805 Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32

EPA

Resource Conservation and Recovery Act (RCRA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3516	SAN No. 3886 Review of Toxicity Characteristic Level for Silver Under the Resource Conservation Recovery Act (RCRA)	2050-AE37
3517	SAN No. 3151 Chlorinated Aliphatics Listing Determination	2050-AD85
3518	SAN No. 3328 Hazardous Waste Identification Rule (HWIR): Identification and Listing of Hazardous Wastes	2050-AE07
3519	SAN No. 3189 Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks, Contaminated Media, and Debris	2050-AD69
3520	SAN No. 3201 Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels	2050-AD91
3521	SAN No. 3433 Underground Storage Tanks Containing Hazardous Substances - Financial Responsibility Requirements	2050-AC15

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3522	SAN No. 3179 Financial Assurance Mechanisms for Corporate Owners and Operators of MSWLFs	2050-AD77

Oil Pollution Act (OPA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3523	SAN No. 2634 Oil Pollution Prevention Regulation: Revisions	2050-AC62

Oil Pollution Act (OPA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3524	SAN No. 3425 Facility Response Planning for Delegated Offshore Facilities	2050-AE18

Comprehensive Environmental Response, Compensation and Liability Act—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3525	SAN No. 3885 Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3526	SAN No. 3423 Reportable Quantity Adjustments for Carbamates	2050-AE12
3527	SAN No. 3439 National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75
3528	SAN No. 3806 Grants for Technical Assistance Rule Reform - 40 CFR Part 35 Subpart M	2050-AE33

Comprehensive Environmental Response, Compensation and Liability Act—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3529	SAN No. 4075 Revocation of Caprolactam's Designation as a Hazardous Substance under CERCLA	2050-AE48

EPA

Comprehensive Environmental Response, Compensation and Liability Act—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3530	SAN No. 2394 Reporting Exemptions for Federally-Permitted Releases of Hazardous Substances	2050-AB82
3531	SAN No. 3424 Reportable Quantity Adjustment for Radon-222	2050-AE20

Comprehensive Environmental Response, Compensation and Liability Act—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3532	SAN No. 3884 Revision of the Local Government Reimbursement Regulation	2050-AE36
3533	SAN No. 3054 Administrative Reporting Exemptions for Certain Radionuclide Releases	2050-AD46

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3534	SAN No. 4133 Effluent Limitations Guidelines and Standards for the Ore Mining and Dressing Point Source Category, Gold Placer Mine Subcategory (Section 610 Review)	2040-AD13
3535	SAN No. 3662 Water Quality Standards Regulation—Revision	2040-AC56

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3536	SAN No. 3804 Streamlining 301(h) Waiver Renewal Requirements	2040-AC89
3537	SAN No. 3925 Uniform National Discharge Standards for Armed Forces Vessels - Phase I	2040-AC96
3538	SAN No. 4086 Revisions to Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category	2040-AD14
3539	SAN No. 4124 1998 Effluent Guidelines Plan	2040-AD16
3540	SAN No. 2805 Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3541	SAN No. 3204 Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3542	SAN No. 3767 Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 405 through 471	2040-AC79
3543	SAN No. 3833 Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category	2040-AC90
3544	SAN No. 4039 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category; Amendment	2040-AD05
3545	SAN No. 3702 Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3546	SAN No. 3701 Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act	2040-AC76
3547	SAN No. 4048 Test Procedures for the Analysis of Mercury Under the Clean Water Act	2040-AD07
3548	SAN No. 4049 Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act	2040-AD09
3549	SAN No. 3234 Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information	2040-AC26
3550	SAN No. 3663 Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	2040-AC58
3551	SAN No. 3786 NPDES Streamlining Rule—Round III	2040-AC84
3552	SAN No. 3999 Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges	2040-AD02
3553	SAN No. 3497 Amendments to Round I Final Sewage Sludge Use or Disposal Rule - Phase Two	2040-AC53
3554	SAN No. 4047 Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts	2040-AD08

EPA

Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3555	SAN No. 3661 Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3556	SAN No. 4089 Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase Two	2040-AD12
3557	SAN No. 1427 Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category	2040-AA13
3558	SAN No. 3995 Effluent Guidelines and Standards for the Pesticide Chemicals Manufacturing Amendment; Pretreatment Standards; New and Existing Sources	2040-AD01
3559	SAN No. 3762 NPDES Streamlining Rule—Round II	2040-AC70
3560	SAN No. 3504 Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3561	SAN No. 3617 Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC63
3562	SAN No. 3155 Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase One	2040-AC95
3563	SAN No. 2501 NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal	2040-AB39
3564	SAN No. 3785 Comprehensive NPDES Stormwater Phase II Regulations	2040-AC82
3565	SAN No. 4051 Establishment of Electronic Reporting for NPDES Permittees	2040-AD11
3566	SAN No. 3497 Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase One	2040-AC29
3567	SAN No. 3788 Streamlining the State Sewage Sludge Management Regulations	2040-AC87

Clean Water Act (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3568	SAN No. 3700 Streamlining Revisions to the Water Quality Planning and Management Regulations	2040-AC65
3569	SAN No. 2804 Clean Water Act Definition of the Waters of the United States— Isolated Waters and Artificial Wetlands	2040-AB74
3570	SAN No. 3288 Comparison of Dredged Material to Reference Sediment	2040-AC14
3571	SAN No. 3921 Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3572	SAN No. 2806 Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2	2040-AB79
3573	SAN No. 3209 Effluent Guidelines and Standards for the Industrial Laundries Point Source Category	2040-AB97
3574	SAN No. 3489 Effluent Guidelines and Standards for Landfills	2040-AC23
3575	SAN No. 4041 Effluent Guidelines and Standards for Industrial Waste Combustors	2040-AD03
3576	SAN No. 4050 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II	2040-AD10
3577	SAN No. 3618 Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3578	SAN No. 3714 Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136	2040-AC92
3579	SAN No. 3713 Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136 ...	2040-AC93
3580	SAN No. 3444 Best Technology Available (BTA) for Cooling Water Intake Structures Under Section 316(b) of the Clean Water Act	2040-AC34
3581	SAN No. 3488 Standards for the Use or Disposal of Sewage Sludge (Round II)	2040-AC25

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3582	SAN No. 3666 Clarification of the Application Requirements for States Wanting to Designate Drinking Water Intake Zones, Thereby Prohibiting the Discharge of Vessel Sewage Within Those Zones	2040-AC61
3583	SAN No. 3722 Withdrawal of Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards	2040-AC74

EPA

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3584	SAN No. 4040 Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act	2020-AA37
3585	SAN No. 4131 Drinking Water Unregulated Contaminant Monitoring Program	2040-AD15
3586	SAN No. 4044 National Primary and Secondary Drinking Water Regulations: Analytical Methods for Certain Pesticides and Microbial Contaminants	2040-AD04
3587	SAN No. 2281 National Primary Drinking Water Regulations: Radon	2040-AA94
3588	SAN No. 2340 National Primary Drinking Water Regulations: Groundwater Disinfection	2040-AA97
3589	SAN No. 4009 Public Water System Public Notification Regulation	2040-AD06
3590	SAN No. 2778 Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act	2040-AB83
3591	SAN No. 3761 Streamlining Drinking Water Monitoring Requirements	2040-AC73

Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3592	SAN No. 3726 National Primary and Secondary Drinking Water Regulations: Analytic Methods for Organic, Inorganic and Microbiological Contaminants and Pesticides	2040-AC77
3593	SAN No. 2772 National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection By-Products Rule	2040-AB82
3594	SAN No. 3440 National Primary Drinking Water Regulations for Lead and Copper	2040-AC27
3595	SAN No. 3563 Reformatting of Drinking Water Regulations	2040-AC41
3596	SAN No. 2304 National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule ...	2040-AC91
3597	SAN No. 3947 Drinking Water Consumer Confidence Report Regulations	2040-AC99
3598	SAN No. 3936 Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order	2020-AA35

Safe Drinking Water Act (SDWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3599	SAN No. 3996 Revisions to State Primacy Requirements to Implement Federal Drinking Water Regulations	2040-AD00
3600	SAN No. 2807 National Primary Drinking Water Regulations: Arsenic	2040-AB75
3601	SAN No. 3176 National Primary Drinking Water Regulations: Sulfate	2040-AC07
3602	SAN No. 3238 National Primary Drinking Water Standards for Aldicarb	2040-AC13
3603	SAN No. 3992 National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters	2040-AC98

Marine Protection Research and Sanctuary Act (MPRSA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3604	SAN No. 2737 Revisions to Ocean Dumping Regulations for Dredged Material	2040-AB62

Shore Protection Act (SPA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3605	SAN No. 2820 Shore Protection Act, Section 4103(b) Regulations	2040-AB85

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

General

3148. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATIONAL PROGRAMS RECEIVING FEDERAL ASSISTANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** Title IX of the Education Amendments to the Civil Rights Act**CFR Citation:** 40 CFR F**Legal Deadline:** None

Abstract: The President Plans to invigorate enforcement of title IX of the Education Amendments to the 1972 Civil Rights Act in federally assisted educational programs, and to issue an Executive Order that will expand prohibition of discrimination on the basis of sex, race, color, and national origin in federally conducted education programs. This is part of a common rule being developed by the Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 4021

Agency Contact: Ann Goode, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 1201, Washington, DC 20460

Phone: 202 260-4581

RIN: 2020-AA36**3149. • UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN PROCUREMENT UNDER ASSISTANCE AGREEMENTS****Priority:** Other Significant**Legal Authority:** PL 101-507; PL 102-389; PL 101-549 sec 1001; 42 USC 9605(f); PL 100-590; EO 12432; EO 12138; EO 11625**CFR Citation:** 40 CFR 33**Legal Deadline:** None

Abstract: The regulation will codify revisions to the Agency's program for the utilization of Small, Minority and Women's Business Enterprises in procurements under assistance agreements (i.e., grants and cooperative

agreements awarded by EPA as well as grants and cooperative agreements awarded by other agencies under interagency agreements with EPA). The revisions are necessary to ensure consistency with the Supreme Court's decision in Adarand Constructors, Inc. v. Pena, 115 S.Ct. 2097 (1995), and were identified as part of the Administration's recent review of affirmative action programs. They include: 1) placing greater emphasis on requiring assistance agreement recipients to submit documentation supporting proposed "fair share" procurement objectives for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) based on the availability of qualified MBEs and WBEs in the relevant geographic market; 2) authorizing or requiring recipients and their prime contractors to take reasonable race/gender-conscious measures (e.g. bidding credits) in the event that race/gender-neutral efforts prove inadequate to meet "fair share" objectives; and 3) administering statutory MBE/WBE objectives as a national goal, allowing smaller or larger "fair share" objectives for particular grants or cooperative agreements based on the availability standard.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	02/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal

Sectors Affected: 15 Building Construction-General Contractors and Operative Builders; 70 Hotels, Rooming Houses, Camps, and Other Lodging Places; 50 Wholesale Trade-Durable Goods; 35 Industrial and Commercial Machinery and Computer Equipment

Additional Information: SAN No. 4056

Agency Contact: Mark Gordon, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2377, Washington, DC 20460

Phone: 202 260-8886

Fax: 202 260-8393

Rebecca Neer, Environmental Protection Agency, Office of

Enforcement and Compliance Assurance, 1230C, Washington, DC 20460

Phone: 703 305-5023

RIN: 2020-AA39**3150. • REVISION TO 40 CFR 35 SUBPART A AND PROMULGATION OF PERFORMANCE PARTNERSHIP (STATE) GRANT REGULATION****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 104-134; PL105-65**CFR Citation:** 40 CFR 35**Legal Deadline:** None

Abstract: States have had a difficult time focusing resources on their most critical environmental priorities because they cannot co-mingle funds from the categorical grants used to implement environmental protection programs and they must perform activities (e.g., maintain accounts, provide varying matching cost shares for each program) which increase administrative costs. Due to the increase in the complexity of environmental problems and the decline in resources nationwide, EPA and States must collaborate to identify efficient and effective approaches to managing environmental issues. EPA established Performance Partnership Grants (PPGs), which are singular grants made to a State from grant funds allocated for more than one existing categorical grant program. The primary purpose of PPGs is to provide flexibility to States to allocate resources to their top priorities and to achieve administrative savings.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Interim Final Rule	12/00/98	

Small Entities Affected: Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3736

Agency Contact: Scott McMoran, Environmental Protection Agency,

EPA—GENERAL

Proposed Rule Stage

Administration and Resource
Management, 3903R, Washington, DC
20460

Phone: 202 564-5372

RIN: 2030-AA55

**3151. • REVISION TO 40 CFR
SUBPART A AND PROMULGATION OF
PERFORMANCE PARTNERSHIP
(TRIBAL) GRANT RULE**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 104-134; PL105-65

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: Tribes have had a difficult time focusing resources on their most critical environmental priorities because they cannot co-mingle funds from the categorical grants used to implement environmental protection programs and they must perform activities (e.g., maintain accounts, provide varying matching cost shares for each program) which increase administrative costs. Due to the increase in the complexity of environmental problems and the decline in resources nationwide, EPA and Tribes must collaborate to identify efficient and effective approaches to managing environmental issues. EPA established Performance Partnership Grants (PPGs), which are singular grants made to a Tribe from grant funds allocated for more than one existing categorical grant program. The primary purpose of PPGs is to provide flexibility to Tribes to allocate resources to their top priorities and to achieve administrative savings.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Interim Final	12/00/98	

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: Tribal, Federal

Additional Information: SAN No. 4128

Agency Contact: Scott McMoran, Environmental Protection Agency, Administration and Resource

Management, 3903R, Washington, DC
20460

Phone: 202 564-5372

RIN: 2030-AA56

**3152. INCORPORATION OF CLASS
DEVIATION INTO EPAAR**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: The Agency has approved a number of class deviations (e.g. changes to reporting requirements and monthly progress reports) to the EPAAR since its promulgation in April 1994. This proposed rule would incorporate most of the class deviations to the EPAAR.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3580

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802R, Washington, DC 20460

Phone: 202 564-4368

Fax: 202 565-2475

RIN: 2030-AA37

**3153. EPA MENTOR-PROTEGE
PROGRAM**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1544; 48 CFR 1552

Legal Deadline: None

Abstract: This proposed rule will amend EPA's Acquisition Regulation (EPAAR) to establish a Mentor-Protege Program. Participating prime contractors serving as Mentors will provide technical and managerial support to Protege small disadvantaged business subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	08/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3629

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802R, Washington, DC 20460

Phone: 202 564-4368

Fax: 202 565-2475

RIN: 2030-AA40

**3154. INCREMENTALLY FUNDING
FIXED PRICE CONTRACTS**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486 (c)

CFR Citation: 48 CFR 1532

Legal Deadline: None

Abstract: This proposed rule will add subpart 1532.7, Contract Funding, to the Environmental Protection Agency's Acquisition Regulation (EPAAR). It also will revise part 1552 of the EPAAR to include a clause for incrementally funding fixed price contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3876

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802R, Washington, DC 20460

Phone: 260 564-4368

Fax: 202 565-2475

RIN: 2030-AA50

EPA—GENERAL

Proposed Rule Stage

3155. REVISION OF EPA ACQUISITION REGULATIONS FOR QUALITY SYSTEMS FOR ENVIRONMENTAL PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1546.2

Legal Deadline: None

Abstract: EPA is updating the quality assurance requirements in its Acquisition Regulation (EPAAR). The Agency relies on environmental measurement data in many of its activities, including regulatory development, the application of regulations (e.g., permitting, enforcement actions), and research programs. The Agency must be ensured that the data are of appropriate type and quality to support the proposed use (that data meet the needs for rulemaking, enforcement action, etc.). The extramural community has been using the existing EPAAR QA requirements since 1984 and recognizes the need to update these requirements to reflect the current understanding of quality systems.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Action	01/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Additional Information: SAN No. 3874

Agency Contact: Linda Avellar, Environmental Protection Agency, Administration and Resource Management, 3802R, Washington, DC 20460

Phone: 202 564-4356

Fax: 202 565-2475

RIN: 2030-AA51

3156. VALUE ENGINEERING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); EPAAR sec 205(c), 63 Stat 390 as amended

CFR Citation: 48 CFR 1548; 48 CFR 1552

Legal Deadline: None

Abstract: This rulemaking will add coverage in the EPA Acquisition Regulation on policy for using value engineering technique in Agency contracts, as required by the Federal Acquisition Streamlining Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3854

Agency Contact: Paul Schaffer, Environmental Protection Agency, Administration and Resource Management, 3802R, Washington, DC 20460

Phone: 202 564-4366

Fax: 202 565-2552

RIN: 2030-AA49

3157. AMENDMENTS TO PART 22 CONSOLIDATED PROCEDURAL RULES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136l; 15 USC 2615(a); 15 USC 2647; 33 USC 1319(g); 33 USC 1415(a); 33 USC 1418; 42 USC 6912; 42 USC 7413(d)(1); 42 USC 7601; 42 USC 7607(a); 42 USC 9609; 42 USC 11045; 42 USC 300g-3(b)

CFR Citation: 40 CFR 22

Legal Deadline: None

Abstract: The Agency is proposing amendments to the Consolidated Rules of Practice under 40 CFR part 22 which are the procedural rules used in administrative hearings and practice. These amendments will include technical corrections as well as substantive amendments. The proposed substantive amendments pertain to the handling and use of Confidential Business Information, burdens of proof,

motion practice, cross appeals, and more.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2662

Agency Contact: Helene Ambrosino, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2201A, Washington, DC 20460

Phone: 202 564-2626

RIN: 2020-AA13

3158. IMPLEMENTATION OF CHANGES TO 40 CFR PART 32 AS A RESULT OF THE FEDERAL ACQUISITION STREAMLINING ACT (FASA)

Priority: Info./Admin./Other

Legal Authority: EO 12549; EO 12689 and FASA

CFR Citation: 40 CFR 32

Legal Deadline: None

Abstract: Periodically OMB amends the Government-wide Common Rule for suspension and debarment of contractors and assistance participants who threaten the integrity of Federal programs because of criminal misconduct or poor performance. All agencies must issue changes to their individual codified versions to conform to the Common Rule. Recently, the Interagency Suspension and Debarment Coordinating Committee prepared recommendations for comprehensive changes to the Common Rule to conform to changes made in the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act (FASA). In addition, several other proposals to improve or change the rule were recommended by various agencies. In December, 1996, OMB declined to implement the changes at this time due to differences with some agencies about some changes unrelated to those occasioned by FASA.

Among other things, FASA replaced the small purchase threshold (\$25,000) with the simplified acquisition amount (\$100,000). That change unintentionally exposed certain EPA programs to participation by contractors who may have been debarred for serious

EPA—GENERAL

Proposed Rule Stage

misconduct already. OMB has agreed to permit agencies to amend the coverage section of their individual agency rules to reduce or eliminate exposure to suspended or debarred persons.

EPA intends to issue a notice of proposed rulemaking to amend 40 CFR 32.110 to reduce EPA exposure to such consequences.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3817

This is an assistance-related statutory requirement. There is no paperwork burden associated with this action.

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RIN: 2030-AA48

3159. CONSOLIDATION OF GOOD LABORATORY PRACTICE STANDARDS (GLPS) REGULATIONS CURRENTLY UNDER TSCA AND FIFRA INTO ONE RULE

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136 et seq; 15 USC 2601 et seq

CFR Citation: 40 CFR 160; 40 CFR 792

Legal Deadline: None

Abstract: On November 29, 1983, EPA published Good Laboratory Practice Standards (GLPS) regulations intended to help ensure data integrity for studies required to support marketing and research permits under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA). These rules were last amended on August 17, 1989. GLPS data integrity measures can be applied to a wide variety of scientific studies. Although the TSCA and FIFRA GLPS contain identical provisions they were published as separate rules to account for statutory and program differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences of those programs without duplicating the entire GLP standard in two places.

This action is intended to consolidate EPA's GLPS into one rule. Program-specific requirements will be addressed in either separate sections of the consolidated rule, or in separate rules as is determined appropriate. This action is not intended to change the requirements, applicability, or enforceability of GLPS with respect to any statute.

EPA has received comments from stakeholders regarding the

understandability of many aspects of the GLPS, and over the years has issued numerous clarifications. EPA believes that some clarifications, if included directly in the rule, would make the rule easier to understand and enhance compliance. Therefore, EPA intends to include such clarifications where appropriate in this rulemaking. Finally, in the interest of maintaining consistency between EPA's and Food and Drug Administration's regulations, EPA will determine any modifications that have occurred to the FDA GLP rule and consider incorporation of such changes into the EPA rule. This action will serve to reduce the total regulatory text in the Code of Federal Regulations by an estimated ten pages, by consolidating 23 pages of text to approximately 13. In the process it will provide a generic GLP rule that may be used by other programs in the Agency.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	01/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3807

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RIN: 2020-AA26

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

3160. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not Applicable

CFR Citation: None

Legal Deadline: None

Abstract: The Agency will use these guidelines to evaluate suspect carcinogens in line with the policies and procedures established in the statutes administered by the EPA. These guidelines revise and replace

EPA Guidelines for Carcinogen Risk Assessment published at 51 FR 33992, September 24, 1986. These guidelines provide EPA staff and decision-makers with the directions and perspectives necessary to develop and use risk assessments. The guidelines also provide the general public with basic information about the Agency's approaches to risk assessment.

To develop guidelines the Agency must find a balance between consistency and innovation. Consistent risk assessments provide consistent bases to support

regulatory decision-making. On other hand, innovation is necessary so the Agency will base its decisions on current scientific thinking. In balancing these and other science policies, the Agency relies on input from the general scientific community through established scientific peer review processes. The guidelines incorporate basic principles and science policies based on evaluation of the currently available information. The revisions place increased emphasis on the role of carcinogenic mechanisms in risk

EPA—GENERAL

Final Rule Stage

assessment and clearer explication of underlying assumptions in risk assessment.

These Guidelines will have minimal to no impact on small businesses or state, local, and tribal governments.

Timetable:

Action	Date	FR Cite
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	02/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3671

Agency Contact: William Wood, Environmental Protection Agency, Office of Research and Development, 8103, Washington, DC 20460
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RIN: 2080-AA06

3161. GUIDELINES FOR NEUROTOXICITY RISK ASSESSMENT

Priority: Other Significant

Legal Authority: Not Applicable

CFR Citation: None

Legal Deadline: None

Abstract: These proposed Guidelines for Neurotoxicity Risk Assessment (hereafter Guidelines) are intended to guide Agency evaluation of suspect neurotoxicants in line with the policies and procedures established in the statutes administered by the EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency

decision makers and the public about these procedures. In particular, the Guidelines emphasize that risk assessments will be conducted on a case-by-case basis, giving full consideration to all relevant scientific information. This case-by-case approach means that Agency experts study scientific information on each chemical under review and use the most scientifically appropriate interpretation to assess risk. The Guidelines also stress that this information will be fully presented in Agency risk assessment documents, and that Agency scientists will identify the strengths and weaknesses of each assessment by describing uncertainties, assumptions, and limitations, as well as the scientific basis and rationale for each assessment.

Timetable:

Action	Date	FR Cite
NPRM Guidelines	10/04/96	61 FR 52032
Final Guidelines	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3624

Agency Contact: William Wood, Environmental Protection Agency, Office of Research and Development, 8103, Washington, DC 20460
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RIN: 2080-AA08

3162. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552; 7 USC 136 et seq; 33 USC 1251 et seq; 42 USC 300f et seq; 42 USC 6901 et seq; 42

USC 7401 et seq; 42 USC 9601 et seq; 42 USC 11001 et seq; 15 USC 2601 et seq; 42 USC 4912; 33 USC 1414; 21 USC 346; 15 USC 2005

CFR Citation: 40 CFR 2; 40 CFR 57; 40 CFR 122; 40 CFR 123; 40 CFR 145; 40 CFR 233; 40 CFR 260; 40 CFR 270; 40 CFR 271; 40 CFR 281; 40 CFR 350; 40 CFR 403; 40 CFR 85; 40 CFR 86

Legal Deadline: None

Abstract: EPA regulations at 40 CFR part 2, subpart B, provide procedures for handling and disclosing information claimed as CBI. Although these regulations have succeeded in protecting business information, changes in Agency workload, practice, and statutory authority have outstripped the ability of these regulations to cut down on unnecessary procedures, expedite activities involving confidential business information, and simplify the regulations. In addition, EPA would consolidate confidentiality provisions from other parts of 40 CFR.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60446
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3240

Agency Contact: Donald Sadowsky, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2379, Washington, DC 20460

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RIN: 2020-AA21

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

General

3163. ENVIRONMENTAL IMPACT ASSESSMENT OF NONGOVERNMENTAL ACTIVITIES IN ANTARCTICA

Priority: Other Significant

CFR Citation: 40 CFR 8

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/30/97	62 FR 25538
Final Rule	10/00/99	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

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RIN: 2020-AA34

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

General

3164. COMMON RULEMAKING ON ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS**Priority:** Other Significant**CFR Citation:** 40 CFR 30.26; 40 CFR 31.26**Completed:**

Reason	Date	FR Cite
Final Action - Interim Final Rule	08/29/97	

Small Entities Affected: Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Peggy Anthony
Phone: 202 564-5364**RIN:** 2030-AA54**3165. PROPOSED GUIDELINES FOR ECOLOGICAL RISK ASSESSMENT****Priority:** Info./Admin./Other**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action - The Guidelines Were Published in February, 1998.	02/17/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William Wood

Phone: 202 260-6743

RIN: 2080-AA07**3166. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT****Priority:** Info./Admin./Other**CFR Citation:** 40 CFR 54**Completed:**

Reason	Date	FR Cite
Withdrawn	02/17/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Rhonda Maddox
Phone: 202 564-7026Jerry MacLaughlin
Phone: 202 564-6947**RIN:** 2020-AA30**3167. UPDATE PROCEDURES FOR MAKING PROFIT/FEE DETERMINATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 1558**Completed:**

Reason	Date	FR Cite
Final Action	11/12/97	

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Larry Wyborski
Phone: 202 564-4369
Fax: 202 565-2552**RIN:** 2030-AA53**3168. EPA'S IMPLEMENTATION OF FEDERAL ACQUISITION STREAMLINING ACT (FASA) CHANGES TO TRUTH IN NEGOTIATIONS ACT (TINA)****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 1523**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	02/13/98	

Small Entities Affected: None**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Larry Wyborski
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Fax: 202 260-1203**RIN:** 2030-AA47

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Clean Air Act (CAA)

3169. CONSOLIDATED EMISSION REPORTING RULE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7410(a)(2)**CFR Citation:** 12 CFR 120.2(d)(4); 40 CFR 51.321 to 51.323**Legal Deadline:** None**Abstract:** Three sections of the Clean Air Act and its amendments require State agencies to report emission estimates to EPA. Some of these sections contain obsolete wording, inconsistent instructions, and duplicate reporting requirements. This rule will consolidate the requirements into one area, eliminate obsolete wording, eliminate duplicate reporting requirements, and provide options for

collecting and reporting data. There will be no impact on small businesses. State agencies will continue to report the same or reduced amounts of data to EPA. The rule will provide for flexibility in collecting and reporting data. There will be no affect on local agencies.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	
NPRM	12/00/98	

Small Entities Affected: None**Government Levels Affected:** State**Additional Information:** SAN No. 3986**Agency Contact:** Steven Bromberg,
Environmental Protection Agency, Airand Radiation, MD-14, Research Triangle Park, NC 27711
Phone: 919 514-1000
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Email: bromberg.steve@epamail.epa.gov**RIN:** 2060-AH25**3170. • CONTROL OF EMISSIONS OF AIR POLLUTION FROM NEW MARINE DIESEL ENGINES AT OR ABOVE 37 KILOWATTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7547(a)**CFR Citation:** 40 CFR 89**Legal Deadline:**NPRM, Judicial, November 25, 1998,
Consent Decree.

EPA—CAA

Prerule Stage

Final, Judicial, November 26, 1999,
Consent Decree.

Abstract: The ANPRM notifies and invites comments from the public on EPA's plans to propose stringent standards for control of emissions of oxides of nitrogen, hydrocarbons, and particulate matter from diesel marine engines at or above 37 kilowatts. The ANPRM contains a broad outline of EPA's plans for defining a national emission control program for these engines, including engine categories to be covered, emission standard levels being considered, and potential compliance programs. Results of a Nonroad Engine and Vehicle Emission Study conducted by EPA indicated the need for regulation of categories or classes of new nonroad engines and vehicles that are significant contributors to ozone or CO in NAAQS nonattainment areas. Such a finding led to control of emissions from various nonroad sources. This action outlines a strategy to control emissions from one nonroad source: diesel marine engines. If the emission control program discussed in the ANPRM is implemented, EPA would expect to see NOx and PM reductions comparable to their land-based counterparts on a per engine basis, for marine engines which are derivatives of land-based engines.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	
NPRM	11/00/98	
Final Rule	11/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 351 Engines and Turbines; 362 Electrical Industrial Apparatus

Additional Information: SAN No. 4078

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RIN: 2060-AH50

**3171. • PROTECTION OF
STRATOSPHERIC OZONE:
DEVELOPMENT OF AN HCFC
ALLOWANCE DISTRIBUTION SYSTEM**

Priority: Info./Admin./Other

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 82.8

Legal Deadline: None

Abstract: This action will begin with development of an ANPRM which will outline a variety of options under which the Stratospheric Protection Division could develop and implement an allowance distribution system for HCFCs, and request comment on which options would be most appropriate. SPD currently oversees an allowance allocation system for the class I ozone-depleting substances. A class II allowance distribution system had not been required, because of the early estimates that the U.S. would not reach its HCFC production and consumption cap imposed by the Montreal Protocol in the near future. As people phase out of class I substances, the demand for HCFCs has increased, as has the production and importation to meet that demand. As a consequence, EPA is exploring potential options for an allowance distribution system that would ensure that the U.S. does not violate its HCFC cap under the Montreal Protocol.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	
NPRM	01/00/99	
Final Rule	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 4120

Additional Deadline: Montreal Protocol. The Protocol requires compliance with a formulary cap of all Parties' consumption of HCFCs.

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RIN: 2060-AH67

**3172. • FINDINGS OF SIGNIFICANT
CONTRIBUTION AND RULEMAKING
ON SECTION 126 PETITIONS FROM
EIGHT NORTHEASTERN STATES FOR
PURPOSES OF REDUCING
INTERSTATE OZONE TRANSPORT**

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 42 USC 7426

CFR Citation: 40 CFR 52

Legal Deadline:

Other, Statutory, April 30, 1998, See additional information.

Abstract: In August 1997, eight northeastern States (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Pennsylvania, and Vermont) submitted individual petitions to EPA under section 126 of the Clean Air Act. Each petition requests that EPA make a finding that certain major stationary sources in upwind States contribute significantly to ozone nonattainment problems in the petitioning State. The petitions target sources in the eastern half of the United States. If EPA grants the requested findings, EPA must establish Federal emission control requirements for the affected sources. Sources would have to comply with the emissions limits within three years from the finding. These sources may also be subjected to State-adopted emission limitations and control schedules in response to a separate EPA rulemaking action on regional ozone transport that EPA proposed in October 1997. In this related action, EPA made a proposed finding that emissions from 22 eastern States and the District of Columbia significantly contribute to nonattainment problems in downwind States. EPA proposed that these States and DC must revise their State implementation plans to include provisions that will reduce State-wide nitrogen oxide emissions (an ozone precursor) to a specified level. Because this ozone transport rulemaking overlaps considerably with the section 126 petition process, EPA believes it is important to coordinate the two actions as much as possible. On December 17, 1997, EPA signed a memorandum of agreement with the eight petitioning States concerning the schedule for EPA action on the petitions. The agreement provides EPA

EPA—CAA

Prerule Stage

with additional time beyond the statutory deadline for analyzing the technical merits of the petitions and carrying out the rulemaking process. The agreement is designed to ensure that EPA will take timely action on the petitions while recognizing that EPA is simultaneously examining ozone transport through a State-based process.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	
NPRM	09/00/98	
Final Action	04/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Local, Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4095

Legal Deadline continued:

Memorandum of Agreement: The section 126 petitions request EPA to establish emission limitations and compliance schedules for groups of stationary sources that may also be subject to emissions limitations in State implementation plans submitted in response to an ozone transport rulemaking that EPA proposed in October 1997. The Clean Air Act establishes deadlines for taking final action on section 126 petitions. However EPA has negotiated and signed a memorandum of agreement with the petitioning States on a schedule for taking action on the petitions which goes beyond the statutory timeframe. The memorandum of agreement is designed to ensure that EPA will take timely action on the petitions while recognizing that EPA is simultaneously examining regional ozone transport in a separate rulemaking. The memorandum of agreement requires EPA to meet the following schedule:

ANPRM: publish in Federal Register by April 30, 1998.

NPRM: publish in Federal Register by September 30, 1998.

Final action by April 30, 1999.

The petitioning States have sued EPA for missing the statutory deadline for action and they intend to submit to the court a consent decree that incorporates the terms of the memorandum of agreement.

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RIN: 2060-AH88

3173. • WET-FORMED FIBERGLASS MAT PRODUCTION NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emissions sources. The wet-formed fiberglass mat production industry is not included in the initial list of categories for standards development but information available to the Administrator suggests that the industry is a major source of HAP emissions and, as such, emission standards shall be developed for this industry. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the wet-formed fiberglass mat production industry may be reasonably expected to emit one of the pollutants listed in section 112(b) of the CAA. The purpose of this action is to include the industry in the source category list and to pursue a regulatory development program such that emission standards may be proposed and promulgated for this industry.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/98	
NPRM	07/00/98	
Final Rule	07/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4082

Agency Contact: Juan E. Santiago, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AH89

3174. • STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; NEW RESIDENTIAL WOOD HEATERS (SECTION 610 REVIEW)

Priority: Info./Admin./Other

Legal Authority: 5 USC 610; Clean Air Act sec 112

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: On February 26, 1988, EPA promulgated standards of performance limiting emissions of particulate matter (PM) from new residential wood heaters. Wood heaters were determined to cause, or contribute significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare. EPA performed a Regulatory Flexibility Analysis for this rule and determined that it would have a significant impact on a substantial number of small entities.

EPA is initiating a review of this rule under section 610 of the Regulatory Flexibility Act to determine if the rule should be continued without change, or should be amended or rescinded, to minimize adverse economic impacts on small entities. EPA will consider, and solicits comment on, the following factors: (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with other Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

This rule is also being separately reviewed as part of a process to reduce unnecessary recordkeeping and reporting requirements. (See RIN 2060-AG30)

Timetable:

Action	Date	FR Cite
Complete Review	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4136

Agency Contact: Richard Colyer, Environmental Protection Agency, Air

EPA—CAA

Prerule Stage

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RIN: 2060-AI05

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Clean Air Act (CAA)

3175. CLEAN FUEL FLEET PROGRAM; RULE AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410; 42 USC 7586

CFR Citation: 40 CFR 88

Legal Deadline: None

Abstract: The Clean Air Act Amendments (CAAA) of 1990 mandated the implementation of a fuel-neutral Clean Fuel Fleet Program (CFFP) beginning in Model Year 98 (MY98) for those nonattainment areas designated as serious, severe, or extreme or with a design value above 16.0 ppm for carbon monoxide. The Act, however, specifically prohibits the Environmental Protection Agency (EPA) from requiring vehicle manufacturers to produce clean fuel fleet vehicles (CFV). We believe that Congress' governing vision in establishing the CFF provisions was to encourage the alternative fuel market and provide States an incentive to promote the use of CFV's in centrally-fueled fleets. While EPA believes these congressional goals are both worthwhile and attainable, we realize that there may be a shortage of CFV's to meet the current needs of some fleets in the covered areas and that MY98 may not be an achievable start date for all areas. This action will extend the program implementation deadline from the current MY98 until MY99.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Direct Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 351 Engines and Turbines

Additional Information: SAN No. 4042

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RIN: 2060-AH56

3176. • ALUMINA PROCESSING NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112 (b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the alumina processing industry may be reasonably expected to emit one of the pollutants listed in section 112 (b) of the CAA. As a consequence, the source category is included on the initial list of HAP emitting categories scheduled for standards promulgation within 10 years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emissions standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 281 Industrial Inorganic Chemicals

Additional Information: SAN No. 4110

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RIN: 2060-AH70

3177. REVISIONS TO SERVICE INFORMATION AVAILABILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521

CFR Citation: 40 CFR 9; 40 CFR 86

Legal Deadline: None

Abstract: Since publication of the final rule for service information availability in August of 1995, the Agency has gained experience and information that make it necessary to revise some of the requirements set forth by this regulation. This action will mainly impact automobile manufacturers and the automotive aftermarket industry, with minimal impact on small entities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 551 Motor Vehicle Dealers (New and Used); 753 Automotive Repair Shops

Additional Information: SAN No. 3978

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RIN: 2060-AH28

3178. URBAN BUS RETROFIT/REBUILD PROGRAM REGULATIONS AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7546; 42 USC 7554; 42 USC 7601(a)

CFR Citation: 40 CFR 85 (O)

EPA—CAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This action addresses a shortcoming in one of the two compliance options of the urban bus retrofit/rebuild program. The action provides assurance that the two options remain equivalent in terms of particulate matter reduction and cost as intended by the original regulation. Also, it will assure that affected urban buses utilize the "best retrofit technology...reasonably achievable" as Congress required in the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3916

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RIN: 2060-AH45

3179. FEDERAL IMPLEMENTATION PLAN FOR A FIFTEEN PERCENT REDUCTION IN VOLATILE ORGANIC COMPOUNDS IN THE DISTRICT OF COLUMBIA

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 52

Legal Deadline:

Final, Statutory, January 18, 1996, See Additional Information.

Other, Statutory, May 31, 1998, Consent decree requires signature of NPRM by 5/31/98.

Other, Judicial, December 31, 1998, Consent decree requires signature of final by 12/31/98.

Abstract: EPA will propose Federal rulemaking for sources within the District of Columbia to correct any shortfall in volatile organic compound (VOC) control measures needed to achieve a 15 percent reduction in VOC emissions. Title I of the Clean Air Act (CAA) requires moderate and worse ozone nonattainment areas to have an implementation plan to achieve a 15 percent reduction in VOC emissions. Clean Air Act specifies that Federal implementation plans are to be

promulgated 2 years after EPA makes a finding that a State failed to submit a required element. On January 18, 1994, EPA made a finding that the District of Columbia failed to submit the required plan to achieve a 15 percent reduction of volatile organic compounds. VOC reduction measures may affect mobile sources, stationary sources, and area sources within the District of Columbia.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	01/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4038

EPA did not promulgate the required Federal implementation plan by the statutory deadline. On June 18, 1996, suit was filed to require EPA to promulgate the required Federal implementation plan. A consent decree was entered with the Court on December 21, 1996, that requires signature of the NPRM by May 30, 1998, and signature of the final rulemaking by December 31, 1998.

Agency Contact: Sally Brooks, Environmental Protection Agency, Air and Radiation, 3AT00, Philadelphia, PA 19107

Phone: 215 566-2056

RIN: 2060-AH51

3180. PERFORMANCE WARRANTY AND INSPECTION/MAINTENANCE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7541; 42 USC 7601

CFR Citation: 40 CFR 51; 40 CFR 85

Legal Deadline: None

Abstract: This action establishes a new short test procedure for use in I/M programs required by the Clean Air Act Amendments of 1990. Vehicles that are tested and failed using this procedure and that meet eligibility requirements established by the act would be eligible for free warranty repair from the manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3263

Agency Contact: Eugene Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

Phone: 313 741-7820

RIN: 2060-AE20

3181. INSPECTION/MAINTENANCE RECALL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7511(A)(2)(b); 42 USC 7511(A)(2)(b)(2)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This action specifies requirements for enhanced I/M programs to establish a program to ensure compliance with recall notices. This is pursuant to the Clean Air Act Amendments of 1990.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3262

Agency Contact: Eugene Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

Phone: 313 741-7820

RIN: 2060-AE22

3182. NSPS: SYNTHETIC ORGANIC CHEMICALS MANUFACTURING INDUSTRY - WASTEWATER

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 60

Legal Deadline:

NPRM, Judicial, August 31, 1994.

Abstract: This rule will develop a new source performance standard to control

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air emissions of volatile organic compounds from wastewater treatment operations at the synthetic chemical manufacturing industry.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
Supplemental NPRM (first)	10/11/95	60 FR 52889
Supplemental NPRM (second)	04/00/98	
Final Action	04/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 28 Chemicals and Allied Products

Additional Information: SAN No. 3380

Agency Contact: Mary Kissell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-4516

RIN: 2060-AE94

3183. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIA

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq as amended by PL 101-549; 42 USC 7410 et seq as amended by PL 101-549

CFR Citation: 40 CFR 60; 40 CFR 63

Legal Deadline: None

Abstract: After promulgation of Method 301, questions were raised about the statistical calculations and clarifying the procedure for determining the quality of the data.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Rule	01/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3407

Agency Contact: Gary McAlister, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711

Phone: 919 541-1062

RIN: 2060-AF00

3184. NESHAP: PETROLEUM REFINERIES - FCC UNITS, REFORMERS AND SULFUR PLANTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7401 et seq as amended by PL 101-549 104 Stat. 2399

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act amendments of 1990 requires EPA to develop national emission standards for hazardous air pollutants (NESHAPs). EPA promulgated NESHAP rules for petroleum refineries on August 18, 1995 (RIN 2060-AD94). This action covers three process vents not covered under RIN 2060-AD94. These are the catalyst regeneration vents from fluid catalytic cracking units (FCCU) and catalytic reformers and the tail gas vents from sulfur recovery plants.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	05/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 291 Petroleum Refining

Additional Information: SAN No. 3549

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060-AF28

3185. NESHAP: FERROALLOY PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

NPRM, Statutory, November 15, 1997.

Abstract: The Clean Air Act, as amended November 1990, requires the EPA to develop emission standards for

each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that two plants in the ferroalloy production industry are major sources for one or more hazardous air pollutants. As a consequence, production facilities are among the HAP-emitting source categories selected for regulation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3082

Agency Contact: Conrad Chin, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-1512

RIN: 2060-AF29

3186. IMPLEMENTATION OF OZONE AND PARTICULATE MATTER (PM) NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND REGIONAL HAZE REGULATIONS

Priority: Other Significant

Legal Authority: PL 95-95; PL 101-549

CFR Citation: 40 CFR 51; 40 CFR 81

Legal Deadline: None

Abstract: EPA recently issued new, updated air quality standards for ozone (62 FR 38856) and particulate matter (PM) (62 FR 38652). Pursuant to President Clinton's implementation strategy as outlined in a memorandum to EPA Administrator Carol Browner, EPA is developing guidance and rules for sensibly and cost-effectively meeting the new standards. To help develop the guidance and rules, EPA, between September 1995 and December 1997, sought significant stakeholder involvement through a committee established under the Federal Advisory Committee Act. Consistent with the schedule outlined in a memorandum from President Clinton dated July 16, 1997, EPA will publish guidance and rules by the end of 1998 designed to give States, local governments, and

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business the flexibility they'll need to meet protective public health standards in a reasonable, cost-effective manner.

For ozone, the implementation plan will emphasize a regional, State-sponsored approach that addresses the long-distance transport of ozone. On October 10, 1997, EPA issued a proposal (sometimes referred to as the "OTAG SIP Call") to require broad regional emissions reductions of nitrogen oxides (NOx) gases which contribute to the formation of ozone (62 FR 60318, November 7, 1997). EPA will work with the affected States to develop a regional NOx emissions cap-and-trade program modeled after the program used to achieve sulfur dioxide reductions in the acid rain program.

In order to help areas covered by EPA's regional plan avoid burdensome measures associated with non-compliance, EPA will create a new "transitional" classification. Areas that attain the 1-hour standard but not the new 8-hour standard as of the time EPA promulgates designations for the 8-hour standard could obtain this new classification if they participate in a regional strategy and/or opt to submit early plans addressing the new 8-hour standard. Because many areas will need little or no additional new local emission reductions to reach attainment, beyond the reductions that will be achieved through the regional control strategy, and will come into attainment earlier than otherwise required, EPA will exercise its discretion under the law to eliminate unnecessary local planning requirements for such areas. EPA will revise its rules for new source review (NSR) and conformity so that States will be able to comply with only minor revisions to their existing programs in areas classified as transitional.

In a notice published on January 16, 1998, EPA identified areas that have air quality meeting the 1-hour air ozone standard and revoked that standard for those areas (63 FR 2726, January 16, 1998).

For PM10, EPA revised the set of standards that had existed since 1987. Given that health effects from coarse particles are still of concern, the overall goal during this transition period is to ensure that PM10 control measures remain in place to maintain the progress that has been achieved toward attainment of the PM10 NAAQS (progress which also provides benefits

for PM2.5) and protection of public health. To ensure that this goal is met, the pre-existing PM10 NAAQS will continue to apply until certain critical actions by EPA and by States and local agencies have been taken to sustain the progress already made. For areas not attaining the existing PM10 NAAQS when the revised standards go into effect, those existing standards remain in effect until EPA has completed a section 172(e) rulemaking to prevent backsliding. EPA will propose this rulemaking in the spring of 1998. For areas attaining the pre-existing PM10 NAAQS, EPA will retain that standard until the State submits and EPA approves the section 110 SIP which States are required to submit within 3 years of a NAAQS revision. Once those areas have an approved SIP, EPA will take action so that the pre-existing PM10 standard no longer applies. In addition, EPA will take action within 3 years to designate areas for the revised PM10 standards.

EPA's approach to addressing regional haze was proposed concurrently with the promulgation of the final ozone and PM NAAQS. The public comment period on this proposal closed on December 5, 1997. EPA plans to promulgate the regional haze rulemaking in the spring of 1998.

Timetable:

Action	Date	FR Cite
ANPRM	12/13/96	61 FR 65764
Notice Proposed Policy	12/13/96	61 FR 65752
NPRM Regional Haze	07/31/97	62 FR 41138
Notice Review Schedule for PM2.5 Standard	10/23/97	62 FR 55201
NPRM NOx Regional Strategy SIP Call	11/07/97	62 FR 60318
Notice Areas meeting 1-hour ozone standard	01/16/98	63 FR 2726
NPRM Conformity for Transitional Areas	04/00/98	
NPRM NSR for Transitional Areas	04/00/98	
NPRM 172e Antibacksliding for PM10	04/00/98	
Final Rule Regional Haze	04/00/98	
Initial Guidance Implementation Planning	06/00/98	
Final Rule NOx Regional Strategy SIP Call	09/00/98	

Action	Date	FR Cite
Final Rule 172e Antibacksliding for PM10	09/00/98	
Final Guidance Implementation Planning	12/00/98	
Final Rule Conformity for Transitional Areas	12/00/98	
Final Rule NSR for Transitional Areas	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3553

SAN No. 3552 for Regional Haze

Agency Contact: Denise Gerth, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5550

RIN: 2060-AF34

3187. RADIATION WASTE MANAGEMENT REGULATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 2011 to 2296; 5 USC app 1; 15 USC 2601 to 2671

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The proper management (i.e., storage, treatment and disposal) of radioactive wastes depends on a number of factors. These include the type and quantity of waste, the availability of storage, treatment and disposal facilities, and the cost of management of these wastes. Another rulemaking, EPA's radiation site cleanup rule, will be concerned with the cleanup standards for sites contaminated with radioactivity. As contaminated sites are cleaned up, a tremendous quantity of radiation contaminated waste, including mixed waste, will be generated. The Agency intends that the comprehensive radiation waste management rule will promote consistent, protective, and cost-effective management of such wastes at Federal facilities.

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Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Final Action	10/00/99	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3516

Agency Contact: Albert Colli, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460

Phone: 202 564-9300

RIN: 2060-AF41

3188. FEDERAL IMPLEMENTATION PLAN TO CONTROL EMISSIONS FROM TWO POWER STATIONS LOCATED ON NAVAJO NATION LANDS

Priority: Other Significant

Legal Authority: 42 USC 1740

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: EPA proposes to federalize standards from the Arizona and New Mexico State Implementation Plans (SIPS) applicable to the Navajo generating station and the Four Corners Plant, respectively. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: None

Government Levels Affected: Undetermined

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3569

Agency Contact: Kenneth Bigos, Environmental Protection Agency, Air and Radiation, Region IX, San Francisco, CA 94105

Phone: 415 744-1240

RIN: 2060-AF42

3189. AMENDMENTS TO METHOD 24 (WATER-BASED COATINGS)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: The determination of volatile organic compounds (VOCs) content of a surface coating by reference Method 24 involves determination of its water content and calculation of its VOC content as the difference of the two measurements (volatile content minus water content). Method 24 is inherently less precise for water-based coatings than it is for solvent-based coatings and the imprecision increases as water content increases. This action will amend Method 24 by adding a direct measurement procedure for measuring VOC content of water-based coatings. This amendment will improve the precision of Method 24 for water-based coatings.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Rule	10/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3649

Agency Contact: Candace Sorrell, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711

Phone: 919 541-1064

RIN: 2060-AF72

3190. FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant

Legal Authority: Clean Air Act, title I

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: EPA will propose Federal rulemaking for sources located on the Reservation to implement the intent of the Clean Air Act (CAA) title I program to bring about attainment of the PM-10 NAAQS both on and off the Fort Hall Indian Reservation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: Tribal, Federal

Additional Information: SAN No. 3637

Agency Contact: Steve Body,

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RIN: 2060-AF84

3191. REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Other Significant

Legal Authority: PL 96-295 sec 304; EO 12777

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The U.S. Environmental Protection Agency (EPA) Radiological Emergency Response Plan (RERP) establishes a framework for timely, coordinated EPA action to protect public health and safety and the environment in response to a peacetime radiological incident. The original EPA RERP was approved in 1986. This new revision updates authorities, responsibilities, capabilities, and procedures for implementing effective radiological emergency response actions by EPA Offices. The RERP presents the EPA organizational structure and concept of operations for responding to radiological incidents as a participant in a Federal multi-agency response using the Federal Radiological Emergency Response Plan (FRERP) and the Federal Response Plan (FRP), and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This revision incorporates recent changes to the FRERP and NCP, and many other policy updates. In short, this revision ensures that EPA maintains a comprehensive strategy to provide organized, effective assistance to State and local governments in the event of a radiological emergency.

Timetable:

Action	Date	FR Cite
Revise Radiological Emergency Response Plan	04/00/98	
Notice of Availability	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3638

Agency Contact: Craig Conklin, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460

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Phone: 202 564-9222

RIN: 2060—AF85

3192. AMENDMENT OF ENHANCED INSPECTION/MAINTENANCE PERFORMANCE STANDARD

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: Clean Air Act

CFR Citation: 40 CFR 51(s)

Legal Deadline: None

Abstract: This action is a technical amendment to the enhanced inspection/ maintenance (I/M) performance standard included in the November 5, 1992 I/M rule (40 CFR part 51, subpart S). The amendment is in response to a court ruling and will have no net effect on existing requirements for State and local I/M programs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3598

Agency Contact: Eugene Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

Phone: 313 668-4456

RIN: 2060—AG07

3193. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA

Priority: Other Significant

Legal Authority: Energy Policy Act sec 801

CFR Citation: 40 CFR 197

Legal Deadline:

Final, Statutory, August 1, 1996.

Abstract: This rulemaking is in response to section 801 of the Energy Policy Act of 1992 which directs the Administrator to promulgate public health and safety standards for protection of the public from releases from radioactive materials stored or disposed of in the repository at the Yucca Mountain site. The only regulated entity is the U.S. Department of Energy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	09/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3568

Agency Contact: Ray Clark, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460

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RIN: 2060—AG14

3194. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS (PS-1)

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 407

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: This action proposes to clarify and update requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. This action also proposes amendments regarding design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These amendments to subpart A and PS-1 will not change the affected facilities' applicable emission standards or requirement to monitor. The amendments will: (1) clarify owner and operator and monitor vender obligations, (2) reaffirm and update COMS design and performance requirements, and (3) provide EPA and affected facilities with equipment assurances for carrying out effective monitoring. The specifications shall apply to all COMS's installed or replaced after the date of promulgation. Following promulgation, a source owner, operator, or manufacturer will be subject to these performance specifications if installing a new COMS, relocating a COMS, replacing a COMS, recertifying a COMS that has undergone substantial refurbishing, or has been specifically required to recertify the COMS with these revisions.

Timetable:

Action	Date	FR Cite
NPRM	11/24/94	59 FR 60585
NPRM Supplemental NPRM	05/00/98	
Final Action	03/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3744

Agency Contact: Solomon Ricks, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711

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RIN: 2060—AG22

3195. CONSOLIDATED FEDERAL AIR RULE FOR THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: Over the past 25 years, EPA has issued a series of national air regulations, many of which affect the same facility. Some facilities are now subject to five or six national rules, sometimes affecting the same emission points. Each rule has emission control requirements as well as monitoring, recordkeeping, and reporting requirements.

These requirements may be duplicative, overlapping, difficult to understand, or inconsistent. It is often difficult for plant managers to determine compliance strategies to satisfy all requirements and for State and local permitting agencies to determine the applicability of different requirements for permitting purposes. Resources are often wasted by both industry and States and localities in sorting out and complying with the panoply of multiple requirements.

All existing Federal air rules applicable to an industry sector will be reviewed to determine whether their provisions

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can be consolidated into a single new rule. Affected industries, State agencies, and other stakeholders will be consulted to identify duplicative and conflicting provisions and to provide assistance in drafting the single rule. The chemical industry and State representatives have agreed to work on a pilot project with EPA's air programs to explore this approach. If the approach is successful with the chemical industry, it may be expanded to air rules for other industry sectors.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3748

Agency Contact: Rick Colyer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AG28

3196. ACID RAIN PROGRAM: CONTINUOUS EMISSION MONITORING (CEM) RULE REVISIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision)

Legal Deadline: None

Abstract: On January 11, 1993, EPA promulgated the final core acid rain rules, including the CEM regulation at 40 CFR part 75. Since the rule was promulgated, the 263 Phase I and 783 Phase II utility units have already begun to comply with this regulation by installing and completing certification testing by the January 1, 1995, statutory deadline.

As a result of on-going internal and external assessment of the Acid Rain Program monitoring and reporting requirements, EPA, State environmental agencies, and affected utilities have

identified areas of the part 75 CEM regulations which would benefit from revision or clarification. Many of the suggested revisions will add increased flexibility to the utility industry in implementing and complying with the requirements of part 75. Other revisions will clarify existing provisions in an effort to make the regulation more understandable. Still other revisions will provide increased quality assurance of the Acid Rain Program CEM data. These issues include allowing reduced monitoring and reporting requirements for low emitting units, more effective and economical quality assurance requirements, greater flexibility for fuel sampling and fuel flowmeter testing procedures under appendix D, clarification of span/range equipment specifications, greater flexibility for monitoring controlled emissions, and greater flexibility for using backup monitors during malfunction of the primary monitor. This action is necessary because of the experience and additional information both EPA and industry have gained from 1993 to the present. Industry views this action as positive because it provides industry with more implementation flexibility.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	01/00/99	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3808

Agency Contact: Jennifer Macedonia, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460

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RIN: 2060-AG46

3197. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF PETITION CRITERIA AND INCORPORATION OF MONTREAL PROTOCOL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This action reconsiders a certain reporting requirement in the petition process to import previously used ozone-depleting substances in response to a legal stay. In addition, technical changes that reflect international decisions made in Vienna, Austria in 1995, in San Jose, Costa Rica in 1996 and in Montreal, Canada in 1997.

Timetable:

Action	Date	FR Cite
Notice of Stay	01/31/96	61 FR 3316
Proposed Extension	01/31/96	61 FR 3361
NPRM	04/00/98	
Direct Final	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3810

Agency Contact: Tom Land, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

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RIN: 2060-AG48

3198. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR SCRAP METAL FROM NUCLEAR FACILITIES

Priority: Other Significant

Legal Authority: 42 USC 2011 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: EPA is considering developing standards that apply to the recycling of scrap metal that is salvaged from nuclear facilities which use radioactive materials. One of EPA's goals in setting recycling standards would be to ensure that scrap metal from a nuclear facility can be recycled and used safely regardless of how the metal is handled, processed, or is ultimately used in recycled products. The Agency recognizes that, under the existing Federal regulatory framework, scrap metal is currently being recycled after being salvaged from nuclear facilities such as those within the Department of Energy's nuclear weapons complex. These regulations would replace the existing multi-agency regulatory framework with one health-based set of protective standards; establish a more definite health basis for regulation of metals recycling; and

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correct the regulatory gaps in the existing framework.

The regulated entities affected by these regulations would be facilities licensed by the Nuclear Regulatory Commission (NRC) to use radioactive materials and Federal facilities that use radioactive materials, such as those of the Department of Energy and the Department of Defense, in particular at facilities undergoing environmental clean-up and restoration. These regulations would affect these facilities only with respect to the transfer of scrap metal within their control to possession of 1) parties not licensed by the NRC or an Agreement State and 2) Federal facilities not authorized to use or possess radioactive materials. These regulations would not restrict the subsequent use of scrap metal once this transfer has occurred. The Agency wishes to emphasize that the need to demonstrate compliance with these regulations would rest entirely on the NRC-licensed facility or Federal facility and not on the persons receiving scrap metal for the purposes of recycling it.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Rule	07/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 491 Electric Services; 963 Regulation and Administration of Communications, Electric, Gas, and Other Utilities; 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3812

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RIN: 2060-AG51

3199. REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS PROGRAM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.1

Legal Deadline: None

Abstract: The proposed regulatory change would streamline permit revisions procedures for stationary air sources that are subject to the Federal operating permits program. Revised procedures for changes at a source that are less environmentally significant would provide industry with a more timely response from the permitting agency, enabling industry to more quickly make the changes in their operations that triggered the need for a revision to the permit.

The Agency does not anticipate any significant impact on small businesses and State/local/Tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	07/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3922

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RIN: 2060-AG92

3200. REVISION TO THE LIGHT-DUTY VEHICLE EMISSION COMPLIANCE PROCEDURE

Priority: Other Significant

Legal Authority: Clean Air Act

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The purpose of this NPRM is to propose changes to the emissions compliance procedures for light-duty vehicles. These proposed changes will streamline the current process beginning with model year 2000. These proposed changes will improve in-use emissions with a potential decrease in the net burden on auto manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3913

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RIN: 2060-AH05

3201. FINDING OF SIGNIFICANT CONTRIBUTION AND RULEMAKING FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP (OTAG) REGION FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7410(a)(2)(D); 42 USC 7410(k)(5)

CFR Citation: 40 CFR 51; 40 CFR 52(a)

Legal Deadline: None

Abstract: Ozone and ozone precursors are transported across the northeastern United States. The Ozone Transport Assessment Group (OTAG) was formed in 1995 to document the amount and extent of this transport and to develop control recommendations. The OTAG was a collaborative process conducted by the affected States. This action builds on the work of the OTAG. Controls are intended to reduce the ozone and ozone precursors "blowing into" the nonattainment areas and allow the impacted States to design local control programs that they can consider in their strategies. This action proposed to find that 22 States and DC in the OTAG Region significantly contribute to nonattainment of the ozone NAAQS or interferes with maintenance of the NAAQS. EPA proposed appropriate levels of NOx emissions that each of the affected States will be required to achieve.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/10/97	62 FR 1422
NPRM	10/10/97	62 FR 60318
NPRM Supplemental	04/00/98	
Final Action	09/00/98	

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Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3945

Litigation on ozone nonattainment plans for serious and severe nonattainment areas. Sect. 126 petitions involved as are dates contained in Mary Nichols' Memorandum entitled 'Ozone Attainment Demonstrations' 3/2/95.

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RIN: 2060-AH10

3202. TECHNICAL AMENDMENTS FOR NON-ROAD COMPRESSION IGNITION ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7573; 42 USC 7524; 42 USC 7541; 42 USC 7542; 42 USC 7543; 42 USC 7547; 42 USC 7549; 42 USC 7550; 42 USC 7601(a)

CFR Citation: 40 CFR 89

Legal Deadline: None

Abstract: This action will amend the existing regulation. These amendments are need to correct problems discovered during the first year of implementation. Also the rule will be harmonized with California and European Rules.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3915

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RIN: 2060-AH33

3203. STREAMLINED EVAPORATIVE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521(m)

CFR Citation: 40 CFR 86 (Revision)

Legal Deadline: None

Abstract: This action will streamline the test procedure used to establish compliance with evaporative emission requirements for light duty vehicles and trucks. The current test procedure requires both two and three day diurnal emission tests; as well as running lost testing. The revisions will delete the three day requirement and add flexibilities for running loss compliance. This will enable manufacturers to save significant resources without any loss in environmental benefits.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3910

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RIN: 2060-AH34

3204. REVIEW OF MINOR NEW SOURCES AND MODIFICATIONS IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51.165; 40 CFR 51.166; 40 CFR 52.10; 40 CFR 52.21

Legal Deadline: None

Abstract: Consistent with its trust responsibility to Indian Tribes, EPA proposes to develop a permit program that would extend to Indian country some of the same protections that States afford their citizens through minor new source review and non-attainment major new source review programs. The proposed rule would require that stationary air sources located in Indian country obtain a permit prior to construction or undergoing modification, in certain cases. Permits would be required of minor sources that exceed a specified emissions threshold if they propose to construct or make a modification that will increase emissions from the source. The proposed rule would allow existing stationary sources to accept federally enforceable limits in order to be considered as minor sources for the

applicability of other source requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Final Action	11/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3975

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RIN: 2060-AH37

3205. REVISIONS TO CLARIFY THE PERMIT CONTENT REQUIREMENTS FOR STATE OPERATING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 7661 et seq

CFR Citation: 40 CFR 70.6

Legal Deadline: None

Abstract: The proposed rule will revise the permit content requirements for State operating permit programs to clarify EPA's existing regulations and policy that require all applicable requirements to be included in title V operating permits. This action will also require a few approved State programs that are inconsistent with this policy and that EPA did not identify as such during program approval actions to be revised. In addition, this action will take comment on allowing an exemption from permit content requirements for insignificant activities that are subject to certain applicable requirements that are found only in State Implementation Plans and will finalize such provisions if it is convinced by comments that such a policy is appropriate. The benefit of the proposed action is that it will clarify existing permit content requirements. There is no anticipated impact on small businesses as this rulemaking only clarifies existing requirements and takes comment on exemptions that may further streamline permits. Impact on State or local governments is limited to a small number of State programs where certain applicable requirements

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are exempt from permit content requirements in conflict with existing EPA requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	06/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3977

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RIN: 2060-AH46

3206. REVISIONS TO NEW SOURCE REVIEW (NSR) REGULATIONS TO IMPLEMENT THE NEW NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) FOR OZONE AND PARTICULATE MATTER

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 51.160 to 165; 40 CFR 52.24

Legal Deadline: None

Abstract: The Clean Air Act requires that construction permit programs for new or modified major stationary sources of air pollution be established for areas not attaining the NAAQS. Regulations setting forth requirements for State and Federal permitting programs are found at 40 CFR 51.160-165 and 52.21, respectively.

The proposed regulations implement preconstruction permit requirements for new or modified major stationary sources locating in areas that do not meet the new NAAQS for ozone or particulate. Likewise, States with these nonattaining areas must revise their State plans and submit the changes to EPA for approval. The rules are intended to implement the major NSR provisions in a flexible, common sense, cost-effective, and non-burdensome manner. The EPA will continue to work with other Federal agencies, State and local governments, small businesses, industry, and environmental and public health groups to develop the requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4046

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RIN: 2060-AH53

3207. PROTECTION OF STRATOSPHERIC OZONE: INTERPRETATION OF METHYL BROMIDE LABELING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act section 602; Clean Air Act section 604; Clean Air Act section 611

CFR Citation: 40 CFR 82

Legal Deadline: Final, Judicial, May 11, 1998

Abstract: This action would clarify EPA's interpretation, made by regulation promulgated in 1993, regarding the application of the ozone-depleting substances labeling rule, also promulgated in 1993, to foodstuffs "manufactured with" methyl bromide, as defined in 40 CFR 82.104(o). The interpretation would clarify that products manufactured with methyl bromide will be subject to labeling requirements on the same basis as all other products, except that raw food commodities grown for the fresh food market will continue to be categorically exempt from any labeling requirement.

Timetable:

Action	Date	FR Cite
Notice of Clarification	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4035

It is the Office of Air and Radiation's interpretation that this clarification will not result in practical changes to the existing application of the labeling rule to foodstuffs manufactured with methyl

bromide since existing exclusions from the definition of "manufactured with" under the labeling rule apply to most post-harvest uses of methyl bromide on foodstuffs.

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RIN: 2060-AH54

3208. RULEMAKING TO MODIFY THE LIST OF SOURCE CATEGORIES FROM WHICH FUGITIVE EMISSIONS ARE CONSIDERED IN MAJOR SOURCE DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: section 302(j) of the Clean Air Act

CFR Citation: 40 CFR 51; 40 CFR 52; 40 CFR 70; 40 CFR 71

Legal Deadline: None

Abstract: This rulemaking will expand the list of source categories for which fugitive emissions are to be considered in major source determinations under the New Source Review (Prevention of Significant Deterioration and Nonattainment New Source Review) and title V programs. As provided by 302(j) of the Act, EPA adopted rules on August 7, 1980 that require, for specific source categories, the inclusion of fugitive emissions when determining if a stationary source is a major source.

In the preamble to the 1980 rulemaking, the EPA limited the scope of the last category to categories which were being regulated under sections 111 or 112 as of the effective date of the rulemaking, i.e., August 7, 1980. EPA indicated that at the time of any future rulemaking proposing to regulate additional categories of sources under sections 111 or 112, the EPA would conduct a parallel rulemaking under section 302(j) to state that fugitive emissions from sources within these source categories needed to be considered in determining whether the sources were major stationary sources. EPA did not conduct these parallel rulemakings as intended and is now

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conducting a rulemaking pursuant to section 302(j) to address the source categories which became subject to section 111 and 112 standards after August 7, 1980.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	
Final Action	02/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4045

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RIN: 2060-AH58

3209. TRANSPORTATION CONFORMITY FOR TRANSITIONAL OZONE AREAS

Priority: Other Significant

Legal Authority: 42 USC 7401 to 7671(q)

CFR Citation: 40 CFR 93

Legal Deadline: None

Abstract: As promised by the White House directive on implementing the revised national ambient air quality standards (NAAQS), this rule will establish a less burdensome conformity process for ozone areas that qualify for the new transitional classification.

Transportation conformity is the Clean Air Act requirement for federally funded or approved transportation plans, programs, and projects to conform to the purpose of the SIP (i.e., not cause or contribute to any new violations; worsen existing violations; or delay timely attainment).

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4032

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RIN: 2060-AH59

3210. REVISIONS TO THE PERMITS AND SULFUR DIOXIDE ALLOWANCE SYSTEM REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601; 42 USC 7651 et seq

CFR Citation: 40 CFR 72; 40 CFR 73

Legal Deadline: None

Abstract: This rulemaking would amend certain provisions in the Permits and Sulfur Dioxide Allowance Rules under title IV of the Clean Air Act to improve the operation of the Allowance Tracking System and the allowance market. The revisions are proposed in light of the Agency's experience in implementing the acid rain rules (first promulgated in 1993) and would result in a small extension of the allowance transfer deadline, allowing a limited number of allowances to be held for a unit outside the unit's account, and the deletion of one of the signature requirements on allowance transfer requests.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	10/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4052

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RIN: 2060-AH60

3211. • ACID RAIN PROGRAM: DETERMINATION ON SECTION 75.7 (EPA STUDY OF BIAS TEST) AND SECTION 75.8 (RELATIVE ACCURACY AND AVAILABILITY ANALYSIS)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision)

Legal Deadline: None

Abstract: On January 11, 1993, EPA promulgated the final core acid rain rules, including the Continuous Emission Monitoring (CEM) regulation at 40 CFR part 75. Since the rule was promulgated, the 263 Phase I and 783 Phase II utility units have already begun to comply with this regulation by installing and completing certification testing by the January 1, 1995, statutory deadline.

As part of the original acid rain rulemaking and subsequent settlements with industry and environment groups, the Agency agreed to undertake field studies and analyze performance data to determine if current "bias test" requirements should be tightened (environmental group request). The regulatory requirements that were originally at issue have been shown to be workable and effective and are now generally accepted as integral parts of the acid rain regulations. In particular, through the field tests and analysis of 3 years worth of performance test data, the Agency is in a position to allay industry's concern that the "bias test" is arbitrary and environmentalists' concern that the "relative accuracy test" and "availability trigger condition" are insufficiently stringent.

Timetable:

Action	Date	FR Cite
NPRM Notice of Proposed Determinations	04/00/98	
NPRM	12/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4067

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RIN: 2060-AH64

3212. ● AMENDMENTS TO THE WOOD FURNITURE MANUFACTURING OPERATIONS NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:

NPRM, Judicial, June 18, 1998,

Proposed amendments based on settlement agreements.

Final, Judicial, December 18, 1998, Final amendments based on settlement agreements.

Abstract: This action will amend the final Wood Furniture Manufacturing Operations NESHAP which was promulgated on December 7, 1995 (60FR62930). This action will address litigation issues, as well as propose resolution to these issues as agreed with the litigants.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	01/00/99	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 243 Millwork, Veneer, Plywood, and Structural Wood Members; 251 Household Furniture; 253 Public Building and Related Furniture

Additional Information: SAN No. 4126

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RIN: 2060-AH66

3213. ● FINAL RULE TO AMEND THE NATIONAL EMISSION STANDARDS FOR MAGNETIC TAPE MANUFACTURING OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.703(c)(4); 40 CFR 63.705

Legal Deadline: None

Abstract: The EPA is amending the promulgated emission standards for Magnetic Tape Manufacturing to include an additional compliance option for facilities that choose to control their coatings operation to a hazardous air pollutant ("HAP") reduction efficiency greater than 95% by weight. In the currently promulgated standard, compliance options are provided whereby a facility operator may choose to control HAP emissions from all coating operations by an overall HAP control efficiency of at least 97%, 98% or 98%, in lieu of controlling 10, 15, or 20 HAP solvent storage tanks, respectively. This amendment would provide a further option that a facility operator controlling the coating operations by one of those higher control efficiencies could identify other equipment at the facility that has equivalent annual emissions to 10, 15, or 20 HAP solvent storage tanks, and operate that other equipment uncontrolled, in lieu of operating the solvent storage tanks uncontrolled.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4106

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RIN: 2060-AH71

3214. ● NESHAP: ORGANIC HAZARDOUS AIR POLLUTANTS FROM THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY (SOCMI) AND OTHER PROCESSES SUBJECT TO THE NEGOTIATED REGULATION FOR EQUIPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.100 to 63.152

Legal Deadline: None

Abstract: The actions will amend the HON that was first promulgated on April 22, 1994, to clarify applicability of process vent requirements. The changes to the rule will clarify the EPA's intent regarding the meaning of the term process vent and address the way these provisions are to be implemented through the permit rule. The need for this action became apparent recently when it was learned that industry was interpreting the definition more narrowly than we intended, and thus, not identifying all process vents subject to the HON. These amendments will clarify the rule to ensure consistent interpretations of the term "process vent" while preserving the intended applicability of the requirements. These clarifications will not increase or lower or otherwise affect emissions or environmental protection. Additionally, the actions may clarify additional sections of the HON and correct any typographical errors noted. These actions may contain guidance as well as amended rule language.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 4103

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RIN: 2060-AH81

3215. ● PERFORMANCE SPECIFICATION 16 - SPECIFICATIONS AND TEST PROCEDURES FOR PREDICTIVE EMISSION MONITORING SYSTEMS IN STATIONARY SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: Not yet determined

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: Performance Specification 16 is being proposed to provide performance criteria for predictive

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emission monitoring systems. Predictive systems represent a new technology that uses process information or parameters to predict pollutant emissions instead of directly measuring them. The Agency is allowing their use in recently-promulgated rules and they are being considered by a number of regulated facilities. The specification lists the requirements for acceptable systems that are met by passing tests that compare the monitoring system with standardized methods and audit gases to determine system accuracy and stability. Performance Specification 16 will primarily apply to facilities whose emissions can be predicted from process parameters such as combustion processes (including gas turbines and internal combustion engines).

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Sectors Affected: 344 Fabricated Structural Metal Products; 351 Engines and Turbines

Additional Information: SAN No. 4119

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RIN: 2060-AH84

3216. • FEDERAL IMPLEMENTATION PLANS TO REDUCE THE REGIONAL TRANSPORT OF OZONE IN THE EASTERN UNITED STATES; PROPOSED RULES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 52

Legal Deadline:

Final, Statutory, October 1, 1999, See additional information.

Abstract: This action proposes to require emissions decreases in 22 States and the District of Columbia. The intended effect is to reduce the

transport of ozone (smog) pollution and one of its main precursors--emissions of nitrogen oxides (NOx)--across State boundaries in the eastern half of the United States. The emission sources affected by this action are in the Ozone Transport Assessment Group (OTAG) Region.

On November 7, 1997, EPA proposed to find that the transport of ozone from certain States in the OTAG region (the 37 eastern most States and the District of Columbia) contribute significantly to nonattainment of the ozone national ambient air quality standards (NAAQS), or interfere with maintenance of the NAAQS, in downwind States. Further, EPA proposed the appropriate levels of NOx emissions that each of the affected States will be required to achieve. That proposal allows States 12 months to develop, adopt, and submit revisions to their State implementation plans (SIPs) in response to the final rulemaking.

The Administrator is required to promulgate a Federal implementation plan (FIP) within 2 years of: (1) finding that a State has failed to make a required submittal or (2) finding that a submittal is not complete or (3) disapproving a SIP submittal. Although the Clean Air Act allows EPA up to 2 years after the finding to promulgate a FIP, EPA intends to expedite the FIP promulgation to help assure that the downwind States realize the air quality benefits of regional NOx reductions as soon as practicable. Therefore, EPA is proposing FIPs at the same time as final action is taken on the November 7, 1997, proposal. Furthermore, EPA intends to make a finding and promulgate a FIP immediately after the SIP submittal due date for each upwind State that fails to submit a SIP.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Final Action	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4096

Legal Deadline continued: The Administrator is required under the Clean Air Act to promulgate a Federal implementation plan within 2 years of: (1) finding that a State has failed to make a required submittal or (2) finding that a submittal is not complete or (3)

disapproving a State submittal. The earliest such a finding or disapproval might be made is expected to be 10-1-99.

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RIN: 2060-AH87

3217. • TECHNICAL CHANGE TO DOSE METHODOLOGY FOR 40 CFR 191, SUBPART A

Priority: Routine and Frequent

Legal Authority: Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Nuclear Waste Policy Act of 1982

CFR Citation: 40 CFR 191(A)

Legal Deadline: None

Abstract: This action is a technical change to the dose methodology for subpart A, Environmental Standards for Management and Storage, of 40 CFR 191, Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes. The current methodology is outdated. The new method, which would be employed as a result of this action, is consistent with recent radiation protection standards as well as Federal Guidance reports issued by EPA. No significant impacts from this action are anticipated.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: Undetermined

Additional Information: SAN No. 4003

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RIN: 2060-AH90

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3218. • SUPPLEMENTAL RULEMAKING FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP REGION FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7410(a)(2)(D); 42 USC 7410(k)(5)

CFR Citation: 40 CFR 51(G); 40 CFR 52 (A)

Legal Deadline: None

Abstract: On October 10, 1997, the Administrator signed a proposed rule making a finding of significant contribution and assigning Statewide NO_x emission budgets to 22 States and the District of Columbia for purposes of reducing regional transport of ozone. The Agency has several follow-up items resulting from discussions with OMB and management within EPA that need to be proposed as part of the effort to reduce transport. This supplemental proposal will include the rule language for the NO_x emission budgets, a model cap-and-trade rule, air quality analyses of the proposed emission budgets, emissions reporting requirements, a discussion of the interaction with the title IV NO_x rule, and alternative approaches to the proposed emission budgets.

Timetable:

Action	Date	FR Cite
Supplemental NPRM	04/00/98	
Final Rule	09/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 491 Electric Services; 371 Motor Vehicles and Motor Vehicle Equipment

Additional Information: SAN No. 4076

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RIN: 2060-AH91

3219. • REVISIONS TO THE POLLUTANT STANDARD INDEX AND SIGNIFICANT HARM LEVEL PROGRAMS FOR OZONE AND PARTICULATE MATTER

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This regulation will update the Pollutant Standards Index (PSI) and the Significant Harm Level (SHL) Programs to reflect revisions to the NAAQS for ozone and particulate matter. The PSI and SHL programs are codified in section 58.50 and appendix G to part 58, and sections 51.150 to 51.153 and appendix L to part 51, of the CFR, respectively. Also included in this regulatory package is the deletion of the last sentence in section 51.115(e) of the CFR.

Section 58.50 and appendix G to part 58 require that States report to the public an air quality index, the Pollutant Standards Index, which translates ambient concentrations of five of the criteria pollutants to a uniform, numerical index, ranging from 0 to 500. The scale of the PSI is based on human health effects information. Revisions will be made to the ambient concentrations which specify the breakpoints between the PSI categories (i.e., the good, moderate, unhealthy, very unhealthy, and hazardous categories) and associated example health advisories.

Sections 51.150-51.153 of the CFR require that States have contingency plans to prevent air pollution emergency episodes from reaching the significant harm level. Appendix L provides example guidance to the States on appropriate courses of action that should be taken at each stage of the episode (i.e., alert, warning and emergency) to ensure the SHL is not reached.

Section 51.115(e) reads: In developing an ozone control strategy for a particular area, background ozone concentrations and ozone transported into an area must be considered. States may assume that the ozone standard will be attained in the upwind areas. Because of the increase in knowledge about transport and because of action taken in the NO_x State Implementation Plan (SIP) call, the second sentence of this section is now inconsistent with

the current requirements for SIP development and needs to be removed.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4073

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RIN: 2060-AH92

3220. • GENERAL CONFORMITY REGULATIONS; REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7671

CFR Citation: 40 CFR 51.850 to 860; 40 CFR 93.150 to 160

Legal Deadline: None

Abstract: Section 176(c) of the Clean Air Act prohibits Federal entities from taking actions which do not conform to the State implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). In November 1993, EPA promulgated two sets of regulations to implement section 176(c). First, on November 24, EPA promulgated the Transportation Conformity Regulations to establish the criteria and procedures for determining that transportation plans, programs, and projects which are funded under title 23 U.S.C. or the Federal Transit Act conform with the SIP. Then, on November 30, EPA promulgated regulations, known as the General Conformity Regulations, to ensure that other Federal actions also conformed to the SIPs. Since 1993, EPA has amended the transportation conformity rule three times in response to stakeholders' requests. The EPA is working on a separate revision to address transportation conformity in "transitional" areas which will be final by December 1998. The EPA has not reviewed or revised the General Conformity Regulations since their 1993 promulgation. Several Federal agencies have identified concerns over

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the implementation of the General Conformity Regulations, including the requirements for areas designated nonattainment for the newly promulgated NAAQS. In conjunction with the Federal Caucus of the Federal Advisory Committee Act, Subcommittee on the Implementation of the New Ozone and Particulate Matter Standards, EPA will review the implementation of the General Conformity Regulations. The EPA will then propose and promulgate any appropriate revision to those regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Additional Information: SAN No. 4070

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RIN: 2060-AH93

3221. • ALTERNATIVE FLARE SPECIFICATIONS FOR HYDROGEN FUELED FLARES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 60.18 (Revision); 40 CFR 63.11 (Revision)

Legal Deadline: None

Abstract: Flares are commonly used control devices in the petrochemical production industry in the United States. These control devices have characteristics that allow them to operate efficiently to reduce emissions in situations where other devices would not be effective or would be extremely costly; for example, where the waste gas flowrate may vary significantly. However, it is not practical to test flares at the site of application since the flares are often elevated and the flame extends high above discharge point making it unsafe and not technically feasible to perform conventional emission testing. Accordingly, EPA has promulgated regulations specifying equipment

operating conditions for flares used as control devices to insure efficient destruction of pollutants. These specifications were developed by testing flares firing organic waste streams using specialized instrumentation. E.I. du Pont de Nemours and Company (DuPont) has requested that EPA approve alternative specifications for flares combusting waste gases that derive a significant amount of their heat content from hydrogen. DuPont believes that such streams can be efficiently combusted at lower heat contents and higher exit velocities than the current EPA specifications allow. If this is the case, then DuPont will be able to save several million dollars in operating costs as well as significant capital investment in larger flares. There would also be a benefit to the environment associated with secondary air pollution avoided. However, the EPA does not believe that an alternative for hydrogen fueled flares can be approved without specific test data to support the alternative specifications. DuPont has contracted with a testing firm to perform such testing. If the testing program provides results that allow codification of alternative specifications for hydrogen fueled flares, there may be other companies that can use these flare specifications and the resulting benefits could be many times the estimate above.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 4127

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RIN: 2060-AH94

3222. • NESHAP: OFF-SITE WASTE AND RECOVERY OPERATIONS; FINAL RULE—FOR SETTLEMENT AGREEMENT; AND NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS FOR TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The actions will amend the Off-site Waste and Recovery Operations rule that was promulgated on July 1, 1996, based on the settlement agreement with the Chemical Manufacturers Association, the Hazardous Waste Management Association, and the Environmental Technology Council. The changes to the rule will clarify the EPA's intent and do not increase or lower or otherwise affect emissions or environmental protection. Additionally, the actions will clarify sections of the promulgated off-site waste and recovery operations regulation and correct any typographical errors noted. These actions will contain guidance and amended rule language.

Timetable:

Action	Date	FR Cite
Notice Proposed Settlement	04/00/98	
Notice Promulgated Settlement	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Sectors Affected: 355 Special Industry Machinery, Except Metalworking Machinery; 291 Petroleum Refining; 283 Drugs

Additional Information: SAN No. 4108

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RIN: 2060-AH96

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3223. • PROPOSED REVISION OF TEST METHOD 1, 2 AND 2F FOR MEASURING VOLUMETRIC FLOW IN STACKS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401; 42 USC 7411; 42 USC 7414; 42 USC 7416; 42 USC 7429; 42 USC 7601**CFR Citation:** 40 CFR 60; 40 CFR 60 (app A) "Test Method 1 and 2"; 40 CFR 75**Legal Deadline:** None

Abstract: EPA Test Methods are Agency-approved procedures used by test teams to accurately determine emissions from sources; e.g., power plants. The proposed revisions to Test Methods 1, 2, and 2F will improve the accuracy of the determination of volumetric flow measurements in utility stacks. These revisions will affect electric utilities and other sources covered by EPA's Acid Rain Program and possibly by other air quality control regulations; e.g., New Source Performance Standards, Prevention of Significant Deterioration, and State emission limits. Currently, the Test Methods do not allow yaw or pitch angles or wall effects to be considered in calculating volumetric flow. In the Acid Rain Program and in other programs requiring reporting of mass emission rates, e.g., lbs SO₂/hour, not allowing these parameters in the calculation of volumetric flow may cause overreporting of pollutant emissions in some situations. The Test Method revisions are also expected to help reduce such overreporting as well as the disparity between stack-measured power plant heat rate and combustion-calculated heat rate. Heat rate is important to power plants because it affects, e.g., electric rates, and limitations on plant operations in State permits.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	03/00/99	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 4130

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RIN: 2060-AH97**3224. • REVIEW OF OPERATING PERMITS ISSUED BY INDIAN TRIBES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7661 et seq**CFR Citation:** 40 CFR 70.4**Legal Deadline:** None

Abstract: The current regulation that sets forth minimum standards for State operating permits programs does not require that citizens be allowed to appeal permit decisions made by Tribal permitting authorities. The proposed rule would require that Tribes allow for judicial review or that they develop alternative options for citizen recourse. The benefit of the proposed action is that citizens would be able to hold those responsible for issuing permits accountable for their actions. There is no anticipated impact on small businesses. Tribal governments that develop operating permits programs will need to provide citizens an opportunity to challenge permitting actions in order to obtain EPA approval of their permits programs.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Rule	03/00/99	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** Tribal**Additional Information:** SAN No. 3893

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RIN: 2060-AH98**3225. • PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION ON THE SECTION 610 NONESSENTIAL PRODUCTS BAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671(q)**CFR Citation:** 40 CFR 82(C)**Legal Deadline:** None

Abstract: This action would propose to extend the current class I and class II bans on the sale and distribution of nonessential uses of ozone-depleting substances where sufficient substitutes are already readily available. As part of the initial 1993 rulemaking, EPA banned the use of ozone-depleting substances in aerosols, pressurized dispensers, and foams where substitutes were available. Since that rulemaking was issued, the phaseout of production and consumption of class I substances has become effective and the Significant New Alternatives Policy (SNAP) Program under section 612 has been promulgated. The phaseout of newly manufactured class I substances and the identification of new acceptable substitutes for both class I and class II applications provide compelling reasons to reconsider the initial decisions regarding both product-specific exemptions and the decision to limit the ban's effect on major sectors that traditionally used ozone-depleting substances. Most domestic manufacturers have already incorporated the non-ozone-depleting substances in their products. The continued availability and use of ozone-depleting substances in parts and products manufactured abroad, which are sold or incorporated into larger products that are then sold into interstate commerce in the United States, negatively affects the competitiveness of domestic manufacturers who use substitute substances in their production. Therefore, it is appropriate to reconsider the applicability of the class I ban to both specific products and product categories. Amending these requirements would limit the potential use of ozone-depleting substances in applications where substitutes are available and thus, further protect the stratospheric ozone layer.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	01/00/99	

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4077

Agency Contact: Cindy Newberg, Environmental Protection Agency, Air

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RIN: 2060-AH99

3226. • NEW NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS, MINOR AMENDMENTS TO THE PHASE I EMISSION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7547; 42 USC 7601(a)

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This direct final rule revises the existing new nonroad Phase 1 small spark-ignited (SI) engine regulations. Although no adverse comments are anticipated, EPA will simultaneously propose this action.

Subsequent to the July 3, 1995, Federal Register publication of the Phase 1 small spark-ignited (SI) engine final rule, several typographical errors and incorrect figure references have been identified. In addition, corrections need to be made to a handful of minor test procedure issues. Representatives of the small SI engine industry have been requesting that EPA make these corrections to the final Phase 1 small SI engine rulemaking in order that they may certify their 1997 model year engines without making unnecessary alternative test procedure demonstrations. In addition, finalization of this Phase 1 amendment package will decrease the complexity of the development of court-ordered Phase 2 regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 351 Engines and Turbines

Additional Information: SAN No. 3951

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RIN: 2060-AI02

3227. • NOTICE OF TEMPORARY STAY, NOTICE OF PROPOSED COMPLIANCE EXTENSION; EQUIVALENCY DETERMINATION FOR NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS: HALOGENATED SOLVENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Halogenated solvent cleaning emissions include: 1,1,1 trichloroethane, perchloroethylene, methylene chloride, trichloroethylene, carbon tetrachloride, and chloroform. This rule was promulgated on December 2, 1994 and codified at 40 CFR part 63, subpart T. This action will announce a temporary 3-month stay for good cause and a proposed compliance extension for continuous web cleaning machines. This action will also amend the final halogenated solvent cleaning NESHAP to include equivalency determinations for different control equipment for batch vapor cleaners to those required by the rule. These equivalency determinations have been requested by a halogenated solvent cleaning machine manufacturer.

Timetable:

Action	Date	FR Cite
NPRM	11/29/93	58 FR 62566
Final Rule	12/02/94	59 FR 61801
Correction Notice	12/30/94	59 FR 67750
Correction Notice	06/05/95	60 FR 29484
NPRM	04/00/98	
Notice Temporary Stay	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 34 Fabricated Metal Products, Except Machinery and Transportation Equipment; 39 Miscellaneous Manufacturing Industries

Additional Information: SAN No. 4129

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RIN: 2060-AI04

3228. NEXT REVISION OF APPENDIX W TO 40 CFR PART 51

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 110(a)(2); Clean Air Act Amendments of 1990 sec 165(e); Clean Air Act Amendments of 1990 sec 172(a); Clean Air Act Amendments of 1990 sec 172(c); Clean Air Act Amendments of 1990 sec 301(a)(1); Clean Air Act Amendments of 1990 sec 320

CFR Citation: 40 CFR 51.112; 40 CFR 51.160; 40 CFR 51.166; 40 CFR 52.21

Legal Deadline: None

Abstract: This action proposes revisions to the regulatory requirements for air quality models. Such models are used to predict ambient concentrations of pollutants for programs ranging from Prevention of Significant Deterioration (PSD) to State Implementation Plans (SIPs) for controlling air pollution sources. Appendix W to 40 CFR part 51 fulfills a Clean Air Act mandate for EPA to specify models for air management purposes. This proposed rulemaking enhances appendix W with new and/or improved techniques.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Action	12/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3470

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RIN: 2060-AF01

3229. INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7412 CAA Amendments of 1990 sec 112; 42 USC 7414 CAA Amendments of 1990 sec 114; 42 USC 7601 CAA Amendments of 1990 sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306-

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308; 33 USC 1317; 33 USC 1318; 33 USC 1361 CWA sec 301; CWA sec 501

CFR Citation: 40 CFR 63; 40 CFR 430

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act (CAA) Amendments of 1990 direct the Environmental Protection Agency (EPA) to set National Emission Standards for Hazardous Air Pollutants (NESHAP) for new and existing sources under section 112 and to base these standards on maximum achievable control technology (MACT). The Clean Water Act (CWA) directs EPA to develop effluent guidelines for certain categories and classes of point sources. These guidelines are used for setting discharge limits for specific facilities that discharge to surface waters or municipal sewage treatment systems. On November 14, 1997, the EPA Administrator signed an integrated regulation for the pulp and paper industry that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. The regulations were developed jointly to provide greater protection to human health and the environment, to promote the concept of pollution prevention, and to enable the industry to more effectively plan compliance via a multimedia approach.

Next Steps will be to issue final effluent guidelines for Phase II and Phase III mills and NESHAP for the bleaching area at mills subject to Phase III effluent guidelines. Phase II will address the effluent from mills not covered in the Final Phase I effluent guidelines (except dissolving grade mills) plus will set limits for reserved parameters for chemical oxygen demand (COD) and chloroform at Phase I mills. Phase III will set final effluent limits for dissolving grade mills.

Timetable:

Action	Date	FR Cite
NPRM NESHAP Phase III - Nonchemical and Other Mills	03/08/96	61 FR 9383
NPRM NESHAP Phase II - Combustion Sources	04/00/98	

Action	Date	FR Cite
Final Rule NESHAP Phases I and III and Effluent Guidelines Phase I	04/00/98	
Final Rule NESHAP Phase II - Combustion Sources	03/00/99	
Final Rule Effluent Guidelines Phase II	02/00/00	
Final Rule All NESHAP Phases	00/00/00	
Final Rule Effluent Guidelines Phase III - Dissolving Grade	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3105 (Air), SAN No. 2712 (Water), SAN No. 4050 (Water Phase II),

ADDITIONAL AGENCY CONTACT: Jeff Telander (NESHAP Phase II - Combustion Sources)

ADDITIONAL AGENCY CONTACT: Elaine Manning (NESHAP Phase III - Nonchemical and other Pulp and Paper Mills)

See also RIN 2040-AB53

Agency Contact: Penny Lassiter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711 Phone: 919 541-5396

Donald F. Anderson, Environmental Protection Agency, Air and Radiation, Office of Water (4303), Washington, DC 20460 Phone: 202 260-7189

RIN: 2060-AD03

3230. NESHAP FOR THE MANUFACTURING OF AMINO AND PHENOLIC RESINS (POLYMERS AND RESINS GROUP III)

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act requires development of emission standards for all major

sources, and selected area sources, emitting any of the 188 hazardous air pollutants identified in section 112(b) of the Act. Amino, and phenolic resins productions have been listed as categories of major sources based on documented emissions of phenol and/or formaldehyde. The purpose of the NESHAP for the Manufacturing of Amino and Phenolic Resins (Polymers and Resins Group III) project is to initiate the regulatory process for sources engaged in the production of amino, and phenolic resins, and to ultimately develop a NESHAP based on candidate Maximum Achievable Control Technology. This standard is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM Final Rule	04/00/98 05/00/99	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3228

Agency Contact: John Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711 Phone: 919 541-0296

RIN: 2060-AE36

3231. NESHAP: PRIMARY COPPER SMELTING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The primary copper smelting industry is known to emit a number of the hazardous air pollutants listed in section 112 of the Clean Air Act, as amended November 1990. Most smelters have extensive control systems for oxides of sulfur and HAPs. However, fugitive emissions may cause several smelters to exceed major source levels.

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Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3340

Agency Contact: Eugene Crumpler, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AE46

3232. NESHAP: SECONDARY ALUMINUM INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The Act requires EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the Act, to promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAP emission sources, and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the secondary aluminum industry may reasonably be anticipated to emit several of the 189 HAPs listed in section 112(b) of the Act. As a consequence, the source category is included on the initial list of HAP emitting categories and is on the list of categories scheduled for standards promulgation within 7 years of enactment of the Act. The purpose of this action is to pursue a regulatory development program that would help to ensure that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Action	04/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 334 Secondary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3078

Agency Contact: Juan Santiago, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AE77

3233. NESHAP: PORTLAND CEMENT MANUFACTURING

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that most plants in the Portland cement manufacturing industry source category are major sources of hazardous air pollutants. A regulation (emission standards) is being developed for the Portland cement manufacturing industry. Cement kilns which burn RCRA hazardous waste are subject to a separate rule that has been proposed by the EPA Office of Solid Waste.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	02/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 324 Cement, Hydraulic

Additional Information: SAN No. 3079

Agency Contact: Joseph Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

Phone: 919 541-5446

RIN: 2060-AE78

3234. NESHAP: PRIMARY LEAD SMELTERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Primary lead smelters are a major source category of hazardous air pollutants. Potential emissions include compounds of lead, and other metallic HAPs as well as organic HAPs. Emission standards would establish maximum achievable control technology requirements for affected process units and fugitive dust sources. This industry is comprised of two companies which operate three smelters in two states.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3467

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AE97

3235. NESHAP: ACRYLIC/MODACRYLIC FIBERS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112 (d)

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant emissions from existing and new facilities that manufacture or produce as an interim process acrylic or modacrylic fibers.

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Principal pollutants identified are vinyl acetate and acrylonitrile. The majority of emissions occur during the polymerization reaction and spinning process. There are only three major sources in the United States that will be affected by this regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	06/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3378

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5439

RIN: 2060-AF06

3236. NESHAP: POLYCARBONATES PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7401 Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant (HAP) emissions from the production of polycarbonate resins. This source category is being included in the General MACT Standard. The schedule below reflects the schedule of that rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	05/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3465

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060-AF09

3237. NESHAP: PUBLICLY OWNED TREATMENT WORKS (POTW)

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990 sec 112(e)(5); Clean Air Act Amendments of 1990 sec 112(n)(3)

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1995.

Abstract: This rule will specify maximum achievable control technology for publicly owned treatment works (POTW)- also known as sewage/wastewater treatment plants, or water reclamation facilities. Hazardous air pollutant emissions from the headworks, primary and secondary treatment, solids handling, and other operations will be considered in developing the rule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	03/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local

Additional Information: SAN No. 3377

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060-AF26

3238. NESHAP: BAKER'S YEAST MANUFACTURING INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112 (d)

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Act requires major sources of hazardous air pollutants to achieve a maximum degree of emission reduction based on the maximum achievable control technology (MACT). This regulatory action will establish this level of control for both new and existing sources in the baker's yeast manufacturing industry. This industry is currently comprised of 11 sources of 5 different manufacturers located in 8 different states. The only known HAP

emission from this source is acetaldehyde. It is produced as a by-product during the fermentation process. It is likely that regulatory options will be based on improved process control to reduce formation of this by-product.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Action	09/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 209 Miscellaneous Food Preparations and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3550

Agency Contact: Michele Aston, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2363

RIN: 2060-AF30

3239. AMENDMENTS TO GENERAL PROVISIONS SUBPART A AND B FOR 40 CFR 63

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549; 42 USC 7401 Clean Air Act sec 112

CFR Citation: 40 CFR 63.1; 40 CFR 63.51

Legal Deadline: None

Abstract: The General Provisions (subpart A) were promulgated on March 16, 1994 (59 FR 12408). The General Provisions create the technical and administrative framework and establish general procedures and criteria for implementing MACT standards. On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. Subpart B, the procedures for implementing section 112(j), were promulgated on May 26, 1994. In June, 1994 litigants filed petitions for EPA to review the promulgated procedures. As a result of the litigation, it is anticipated that a number of technical and administrative amendments to subpart A and B will be proposed.

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Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3551
Court schedule being developed.

Agency Contact: James Szykman, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2452

RIN: 2060-AF31

3240. REVISION OF LIST OF CATEGORIES OF SOURCES AND SCHEDULE FOR STANDARDS UNDER SECTION 112 OF THE CLEAN AIR ACT

Priority: Info./Admin./Other

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Section 112 of the Clean Air Act requires the EPA to publish a list of major and area source categories which emit one or more of the hazardous air pollutants listed in section 112. An initial list of source categories was finalized in July 1992, and contained 174 categories. Section 112 further requires the Agency to prioritize the listed categories such that standards are promulgated for 40 source categories within 2 years of enactment, 25% of all initially listed categories within 4 years, 50% within 7 years, and 100% within 10 years. The schedule for the promulgation of emissions standards was published in December 1993.

This action revises the list of source categories and the corresponding schedule for emission standards. This is in accordance with the statute, which requires the Agency to periodically amend the list in response to public comment or new information, and no less often than every eight years. The list and schedule were last updated on June 4, 1996.

Timetable:

Action	Date	FR Cite
Notice of Revision	06/04/96	61 FR 28197
Correction Notice	07/18/96	61 FR 37542

Action	Date	FR Cite
ANPRM Listing Research and Development Facilities	05/12/97	62 FR 25877
Notice of Revision	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3791

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RIN: 2060-AG42

3241. NESHAP: ETHYLENE PROCESSES

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 20, 2000.

Abstract: Title III of the Clean Air Act requires development of emission standards for all major sources emitting any of the 188 hazardous air pollutants (HAPs) identified in section 112(b) of the CAA. Ethylene Processes is listed as a category of major sources based on process knowledge emissions of benzene and butadiene. This action will explore alternatives controlling the release of HAPs from the following process areas located at ethylene process facilities: process streams, storage, equipment leaks and other fugitive sources, and wastewater operations. There are no anticipated impacts on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Rule	11/00/99	

Small Entities Affected: None

Government Levels Affected: Undetermined

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3821

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RIN: 2060-AG53

3242. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES 112(L)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Clean Air Act sec 112(l)

CFR Citation: 40 CFR 63(E)

Legal Deadline: None

Abstract: Guidance in the form of rulemaking is being developed in accordance with the requirements of section 112(l) of the Clean Air Act Amendments of 1990 for the approval of State air toxic programs and the delegation of Federal authorities to the States for the implementation and enforcement of section 112 emission standards and other requirements. This regulatory document will provide some flexibility to States in the following areas: minimum requirements for EPA approval of State air toxics regulations that are equivalent to or more stringent than the Federal standards and minimum requirements for EPA approval of State air toxics programs that are equivalent to or more stringent than the Federal program. Specific issues that will be addressed include: alternative work practice standards; alternative monitoring, recordkeeping, and reporting; alternative test method approval process; equivalency by permits; and mechanisms and requirements for approval of State air toxics programs. Additionally, the Partial Approval and Delegable Authorities rulemakings will be added to this rulemaking. The Partial Approval language will provide flexibility to States by allowing States to accept delegation of parts of standards. This will allow them to implement and enforce these provisions on a smaller scale. The "delegable authorities" rulemaking will clarify what authorities EPA has delegated to States when the part 63, subpart A, General provisions have been

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delegated. Due to a lack of clear guidance, the EPA Regions have not been consistent in the delegation of general provisions to States.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	05/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3829

Agency Contact: Tom Driscoll, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
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RIN: 2060-AG60

3243. NESHAP: ASPHALT ROOFING AND PROCESSING

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The CAA required EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112 (b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the asphalt roofing and processing industry (including the production of wet-formed fiberglass mat) may be reasonably anticipated to emit one of the pollutants listed in section 112 (b) of the CAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within ten years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Interim Final	10/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Additional Information: SAN No. 3655

Agency Contact: Juan Santiago, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-1084

RIN: 2060-AG66

3244. GENERIC MACT FOR SOURCE CATEGORIES (ACRYLIC MODACRYLIC FIBERS, POLYCARBONATES HYDROGEN FLUORIDE AND ACETAL RESINS)

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112

CFR Citation: Not yet determined

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Several of the source categories that are subject to MACT (maximum available control technology) standards contain only a few sources (e.g. less than 5). For such source categories, EPA plans to develop the underlying information through its MACT Partnership Program and then allow the affected sources and states to develop the detailed MACT requirements. To do this, EPA needs to develop a generic MACT standard for these source categories. This reinvention to the MACT standards development process will allow for proper participation by all stakeholders. Given the relatively few affected sources caught by the generic standard, the overall cost and environmental effects of this action are expected to be small, nationally.

The MACT program addresses hazardous air pollutants. This action will only affect major sources of these HAPs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	05/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3901

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RIN: 2060-AG91

3245. NESHAP: HYDROGEN FLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.
Other, Statutory, November 15, 2000,
10 year source category BIN.

Abstract: This rule will establish maximum achievable control technology (MACT) for hydrogen fluoride (HF) production facilities. The rule will affect one HF production facility, which is currently well-controlled. This action will result in little or no additional emission reduction but will establish a Federal MACT level for this plant.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	05/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3654

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RIN: 2060-AG94

3246. NESHAP: WOOD FURNITURE MANUFACTURING OPERATIONS; TECHNICAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63(JJ)

Legal Deadline:

NPRM, Judicial, April 1998.

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Abstract: This action amends and makes technical corrections and clarifications to the final Wood Furniture Manufacturing Operations NESHAP, which was promulgated on December 7, 1996 (60 FR 62930). This action clarifies aspects for the final rule such as applicability, emission limits, and makes editorial corrections to the final rule as was published in the Federal Register.

This action revised the definition of wood furniture in the NESHAP to exclude foam seat cushions not made at wood furniture manufacturing facilities. The revisions clarify the applicability of the final rule to eliminate potential overlapping requirements with other NESHAPs (direct final/proposal).

Timetable:

Action	Date	FR Cite
Technical Corrections Final Rule	06/03/97	62 FR 30257
NPRM	06/09/97	62 FR 31405
Direct Final	06/09/97	62 FR 31361
NPRM	06/00/98	
Final Rule	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2965

Agency Contact: Paul Almodovar, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AG95

3247. OFFSET LITHOGRAPHIC PRINTING NATIONAL VOC RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: This action will result in the reduction of volatile organic compound (VOC) emissions from offset lithographic printing.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	03/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3908

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RIN: 2060-AH00

3248. NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7402 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks (40 CFR 63, subpart N) were promulgated on January 25, 1995. Since promulgation, the Agency has determined that a class of chromium electroplating operations were inadvertently excluded from regulation. Specifically, the final standards do not apply to sources engaged in continuous chromium electroplating of steel sheet used to make cans and other containers. It is the Agency's intent to regulate all facilities engaged in chromium electroplating. Therefore, the Agency plans to amend the chromium electroplating rule to extend its applicability to continuous chromium electroplating operations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	02/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2841

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RIN: 2060-AH08

3249. NATIONAL STRATEGY FOR URBAN AREA SOURCES OF TOXIC AIR EMISSIONS

Priority: Other Significant

Legal Authority: 42 USC 7412(k) Clean Air Act sec 112(k); 42 USC 7412(c)(3) Clean Air Act sec 112(c)(3)

CFR Citation: Not yet determined

Legal Deadline:

Final, Statutory, November 15, 1995.
NPRM, Judicial, April 30, 1998.
Final, Judicial, December 18, 1998.

Abstract: Congress directed EPA, in the 1990 Amendments to the Clean Air Act to study the nature and magnitude of air toxic emissions, exposures and risks in U.S. cities. This was in response to growing evidence that an "urban soup" existed that was causing cancer and other effects, and which may not adequately be addressed by the MACT program on major sources. The 1990 Amendments call for EPA to appraise the sources and pollutants which contribute most to the "urban soup" phenomenon, and to publish a national strategy by 1995 that summarizes these findings and identifies actions to mitigate the problem. This strategy will contain (1) general and specific recommendations for additional research, (2) an accounting of actions and measures undertaken by the EPA and state and local agencies that reduce emissions of the hazardous substances of particular concern, and (3) a call for additional measures needed to complete sufficient mitigation of the problem. This action is not considered deregulatory. This action has no direct impacts on small businesses; however, as the strategy is subsequently implemented through later actions and specific rules, some small businesses may be regulated as a consequence of carrying out the regulatory recommendations in the strategy.

Timetable:

Action	Date	FR Cite
Announcement	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3959

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Fax: 919 541-7690

RIN: 2060-AH21

3250. NESHAP: FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act Amendments of 1990, section 112**CFR Citation:** 40 CFR 63**Legal Deadline:**

Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA) requires development of emission standards for sources emitting any of the hazardous air pollutants HAP listed in section 112(b) of the CAA. Flexible Polyurethane Foam Fabrication Operations is listed as a category of major sources based on documented emissions of the following HAP: methylene chloride, trichlorethane, hydrogen cyanide, and hydrogen chloride. This source category covers emissions from various polyurethane foam bonding operations, including foam gluing and flame lamination. This action will explore alternatives for reducing HAP emissions from the following emission sources located at foam fabrication plants: process vents, raw material storage and transfer operations, and equipment leaks. Ultimately, a NESHAP for this source category will be developed based on Maximum Achievable Control Technology. The NESHAP is required by statute to be promulgated by November 2000.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	
Final Rule	02/00/00	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Tribal, Federal**Sectors Affected:** 306 Fabricated Rubber Products, Not Elsewhere Classified; 308 Miscellaneous Plastics Products**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3973**Agency Contact:** David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AH42

3251. NESHAP: GROUP I POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63.480 to 506 (Revision); 40 CFR 63.1310 to 1335 (Revision)**Legal Deadline:** None

Abstract: During the development of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for elastomers (Group I Polymers and resins) and thermoplastics (Group IV polymers and resins) (RINs 2060-AD56 and 2060-AE37), many of the provisions contained in the Hazardous Organic NESHAP (HON) were referenced directly by these polymers and resins regulations due to similarities in processes, emission characteristics, and control technologies. On January 17, 1997 the EPA promulgated changes to the HON to remove ambiguity, to clearly convey EPA intent, and to make the rule easier to understand and implement in response to industry petitions. It is necessary to make parallel changes to the polymers and resins NESHAP, otherwise inconsistencies will exist for NESHAPs regulating similar source categories. An ANPR, was published in the Federal Register on 11/25/96 (61 FR 59849), to explain the nature of changes planned.

Subsequently, six litigants have petitioned for review of the elastomers and thermoplastics regulations. Four companies have petitioned EPA to reconsider specific provisions in the thermoplastics regulation. Revisions will be proposed to parallel HON changes and to resolve petitioners issues. There are no impacts anticipated for small businesses or State/local/tribal governments.

Timetable:

Action	Date	FR Cite
ANPRM	11/25/96	61 FR 59849
NPRM	06/00/98	
Final Rule	04/00/99	

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Sectors Affected:** 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass**Additional Information:** SAN No. 3939**Agency Contact:** Robert Rosensteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AH47

3252. • AMENDMENTS TO PARTS 51, 52, 63, 70 AND 71 REGARDING THE PROVISIONS FOR DETERMINING POTENTIAL TO EMIT**Priority:** Other Significant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** None

Abstract: This action proposes to amend regulations already established to implement the new Federal air toxics program under section 112, including the General Provisions, the Federal operating permit program under title V, and the major source preconstruction programs under parts C and D of title I.

The proposed rule will address issues related to the determination of a stationary source's potential to emit in response to three court decisions.

This action resulted from splitting of RINs 2060-AC98 and 2060-2918.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	08/00/99	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** SAN No. 3479**Agency Contact:** Karen Blanchard, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711

Phone: 919 541-5503

RIN: 2060-AI01

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3253. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY: PERMIT APPLICATION REVIEW PROCEDURES FOR NON-FEDERAL CLASS I AREAS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7670 to 7479; Clean Air Act secs 160 to 169

CFR Citation: 40 CFR sec 51.166; 40 CFR sec 52.21

Legal Deadline: None

Abstract: Under the Clean Air Act's prevention of significant deterioration (PSD) program, a State or Tribe may redesignate their lands as class I areas to provide enhanced protection for their air quality resources. This rule will clarify the PSD permit review procedures for new and modified major stationary sources near these non-Federal class I areas. EPA seeks to develop clarifying PSD permit application procedures that are effective, efficient, and equitable.

Timetable:

Action	Date	FR Cite
ANPRM	05/16/97	62 FR 27158
NPRM	10/00/98	
Final Rule	10/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3919

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RIN: 2060-AH01

3254. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND DIESEL ENGINES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: Clean Air Act sec 202(a); Clean Air Act sec 211(c); Clean Air Act sec 213(a); Clean Air Act sec 301(a)

CFR Citation: Not yet determined

Legal Deadline:

Final, Judicial, August 29, 1997.

Abstract: The primary focus of this action will be reducing emissions of

nitrogen oxides (NOx), non-methane hydrocarbon (NMHC) and particulate matter (PM) from diesel and gasoline fueled engines used in highway trucks and buses and in nonroad equipment and vehicles. Nitrogen oxides are a significant contributor to urban ozone pollution (smog), acid rain, and particulate pollution. Particulates, including those emitted directly and secondary particulates formed in the atmosphere, have been associated with increased death and illness rates as well as impaired visibility. Non-Methane hydrocarbons also contribute to ozone pollution. Highway and nonroad engines and vehicles are very significant contributors to these air-quality problems. This initiative has been marked by an unprecedented degree of cooperation between EPA, the State of California, and the engine manufacturing industry, as well as the involvement of States, regional air-management organizations, and public interest and environmental organizations. The result has been a plan for very stringent new emission standards that have the support of the industry. EPA has proposed new standards for highway truck and bus engines, and discussions are progressing toward similar standards for nonroad diesel engines.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/95	60 FR 45580
NPRM Highway	06/27/96	61 FR 33421
ANPRM Nonroad	01/02/97	62 FR 200
NPRM	09/24/97	62 FR 50152
NPRM Nonroad	09/24/97	62 FR 50152
Final Highway	10/21/97	62 FR 54694
NPRM Highway	12/00/98	
Heavy Duty Diesel		
Final Rule Highway	12/00/99	
Heavy Duty Diesel		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3645

The rule on Nonroad Diesel Engines will be published separately under RIN# 2060-AF76.

Agency Contact: Tad Wysor, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

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RIN: 2060-AF76

3255. LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES; AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525 Clean Air Act sec 206(b)

CFR Citation: 40 CFR 86G (Revision); 40 CFR 86K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to part 86 would delete from subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in part 86.

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Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3139

Agency Contact: Richard Gezelle, Environmental Protection Agency, Air and Radiation, 6403J, Washington, DC 20460

Phone: 202 233-9267

RIN: 2060-AD90

3256. REVIEW OF FEDERAL TEST PROCEDURES FOR EMISSIONS FROM MOTOR VEHICLES; TEST PROCEDURE ADJUSTMENTS TO FUEL ECONOMY AND EMISSION TEST RESULTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549

CFR Citation: 40 CFR 86; 40 CFR 600

Legal Deadline: None

Abstract: This action considers potential adjustments to fuel economy and emission test results to compensate for test procedure changes previously adopted; it applies to light duty vehicles and light duty trucks. This aspect of the previous rulemaking (SAN-3323, RIN: 2060-AE27) was deferred.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Rule	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3979

Agency Contact: R. W. Nash, Environmental Protection Agency, Air and Radiation, VPCD, Ann Arbor, MI 48105

Phone: 313 668-4412

RIN: 2060-AH38

3257. SPECIFICATION OF SUBSTANTIALLY SIMILAR DEFINITION FOR DIESEL FUELS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7545 Clean Air Act sec 211(f)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing a definition of the term substantially similar, as used in section 211(f)(1)(B) of the Clean Air Act (CAA), with respect to diesel fuel and fuel additives. The prohibitions of section 211(f)(1)(A) apply to fuels and fuel additives which are not substantially similar to fuels or additives used to certify vehicles to emissions standards. This definition will enable manufacturers to determine whether their diesel fuels and additives are covered by, or excluded from, the section 211(f)(1)(B) prohibitions. This definition will also reduce potential burdens on manufacturers and EPA for processing waivers for fuels and additives under 211(f)(4).

Timetable:

Action	Date	FR Cite
ANPRM	05/30/91	56 FR 24362
NPRM	06/00/98	
Final Action	02/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3091

Agency Contact: David Korotney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

Phone: 313 668-4507

RIN: 2060-AD77

3258. REFRIGERANT RECYCLING RULE AMENDMENT TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-54; 42 USC 7671(g) Clean Air Act sec 608; 42 USC 7401 et seq

CFR Citation: 40 CFR 82(F)

Legal Deadline:

Final, Statutory, November 15, 1995.

Abstract: This action would facilitate fulfillment of the statutory mandate to apply the venting prohibition to substitute refrigerants. The action would provide regulations covering recovery/recycling equipment, recovery/recycling practices, and applicable certifications that would be required to accomplish compliance with the no-venting prohibition. Requirements would parallel those of the current section 608 regulations, expanding applicability, where appropriate, to all refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3560

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RIN: 2060-AF37

3259. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq Clean Air Act sec 608

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: The rule will include the reconsideration of the sales restriction as it relates to split systems. The Agency was petitioned to reconsider the part of the sales restriction that included the sale of pre-charged split systems. It restricted such sales to certified technicians. Since then, EPA stayed that portion of the sales restriction in response to the petition. This rule will include the determination of the Agency related to the reconsideration. It addresses environmental problems of ozone depletion resulting from emissions of chlorofluorocarbons, hydrochlorofluorocarbons, and other ozone-depleting substances. Through restricting sales of certain pre-charged items to persons certified as technicians, emissions to the atmosphere are decreased. The impact on small businesses and governments would be negligible, since persons can become certified if the EPA determination is a full restriction. Most businesses and governments will have at least one certified technician on board. Also, this amendment will include corrections and clarifications concerning leak repair requirements. This action has no impact on small

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business and State, local, and tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Action	01/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 358 Refrigeration and Service Industry Machinery; 52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers

Additional Information: SAN No. 3673

This action is combined with RIN 2060-AG47, SAN 3809.

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RIN: 2060-AG20

3260. SERVICING OF MOTOR VEHICLE AIR CONDITIONERS: STANDARDS FOR EQUIPMENT THAT RECOVERS AND RECYCLES REFRIGERANTS OTHER THAN CFC-12 AND HFC-134A

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671

CFR Citation: 40 CFR 82(B) (Revision)

Legal Deadline: None

Abstract: This rule serves to amend the regulations initially promulgated on July 14, 1992, under section 609 of the CAA. By promoting the recycling and reclamation of ozone-depleting refrigerants from motor vehicle air conditioners, this rule will serve to inhibit venting of these refrigerants into the atmosphere, which is prohibited under the Act.

This rule fulfills the statutory mandate set forth in section 609 requiring the Administrator to promulgate regulations for the proper recycling in motor vehicle air conditioners (MVACs) of any refrigerants that substitute for CFC-12. Specifically, section 609 requires EPA to establish standards for refrigerant recycling equipment and for the proper use of such equipment. This rule will provide flexibility for service technicians to meet section 609 requirements, because in addition to using equipment that recovers and recycles CFC-12 and HFC-134a refrigerants, technicians will now be permitted to use equipment that recovers and recycles other substitute refrigerants listed as acceptable under EPA's SNAP program.

This rule will affect, although not adversely affect, small entities such as independent repair shops, service station, truck fleet shops, collision repair shops, new car and truck dealers, car and truck rental shops, and radiator repair shops. Specifically, it will allow them to use equipment to recycle refrigerants other than CFC-12 and HFC-134a listed as acceptable under EPA's SNAP program.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Action	01/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 75 Automotive Repair, Services, and Parking; 55 Automotive Dealers and Gasoline Service Stations

Additional Information: SAN No. 3983

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RIN: 2060-AH29

3261. SUPPLEMENTAL RULE TO REQUIRE CERTAIN PRODUCTS MADE WITH HCFCs TO BEAR WARNING LABEL

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq Clean Air Act sec 611

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: Friends of the Earth submitted and withdrew a petition to expand EPA's labeling requirements to include products containing or manufactured with HCFCs. EPA anticipates that Friends of the Earth will submit a revised petition later this year. We are bound by statute to respond by 180 days. If EPA grants the petition, the proposed rulemaking will be the response.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	06/00/99	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3640

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RIN: 2060-AF93

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Clean Air Act (CAA)

3262. ● CHROMIUM ELECTROPLATING NESHAP AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63 (Revision)

Legal Deadline: None

Abstract: Since the promulgation of the chromium electroplating NESHAP we have been informed of several sources that are experiencing difficulty in complying with the concentration limit for new sources even though they have installed and operate composite mesh pad scrubber technology similar or identical to that used as the basis for the MACT emission limit. These

sources operate new state-of-the-art plating tanks not encountered during rule development which feature enclosing hoods that completely cover the surface of the plating tank. This covered tank design allows for effective capture and ventilation at substantially lower exhaust air flow rates than otherwise encountered with more conventional exterior hooding.

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Although these sources exceed the new source standard concentration limit of 0.015 mg/dscm, actual mass rate emissions are more than 50 percent lower than would otherwise be achieved with more conventional hooding and higher ventilation rates. The chromium electroplating standard will be amended to include this alternative type of control system.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 347 Coating, Engraving, and Allied Services

Additional Information: SAN No. 4115

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RIN: 2060-AH69

3263. 1998 REVISION OF ACID RAIN ALLOWANCE ALLOCATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73

Legal Deadline:

Final, Statutory, June 1, 1998.

Abstract: Title IV of the Clean Air Act directs the EPA to establish an acid rain program to reduce adverse effects of acidic deposition. The centerpiece of this control program is allocation of allowances, or authorizations to emit SO₂, that are distributed by the Administrator in limited quantities to utility units and must be held by all affected units to cover their SO₂ emissions. In 1993, EPA finalized the allowance allocations and provided, in the regulation, the methodology for revising the allocations in 1998 based on several statutory provisions. This rulemaking will implement that methodology, eliminate unaffected units, and eliminate unnecessary sections of regulation. This rulemaking will affect only utility units affected by the acid rain program requirements and does not affect small businesses or government entities.

Timetable:

Action	Date	FR Cite
NPRM	01/07/98	
Final Rule	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3898

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RIN: 2060-AG86

3264. LOCOMOTIVE EMISSION STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7547

CFR Citation: 40 CFR 92

Legal Deadline:

Final, Statutory, November 15, 1995.

NPRM, Judicial, January 31, 1997.

Final, Judicial, December 17, 1997.

Abstract: The Clean Air Act Amendments of 1990 require EPA to promulgate emission standards for railroad locomotives. It is likely that railroad locomotives are significant contributors of pollution in some areas of the country for some pollutants. This rulemaking may allow for uniform control of locomotive emissions on the national level.

Timetable:

Action	Date	FR Cite
NPRM	02/11/97	62 FR 6366
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2961

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RIN: 2060-AD33

3265. NEW SOURCE REVIEW (NSR) REFORM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Clean Air Act Amendments of 1990 title I

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.21; 40 CFR 52.24

Legal Deadline: None

Abstract: The purpose of this action is to revise the Clean Air Act new source review (NSR) regulations, which govern the preconstruction air quality review and permitting programs that are implemented by States and the Federal Government for new and modified major stationary sources of air pollution. This rulemaking will deregulate, that is, exclude from major NSR program requirements those activities of sources that, with respect to air pollution, have little environmental impact. The rulemaking will encourage pollution control and pollution prevention projects at existing sources. Control technology requirements will be clarified with respect to when and how they apply to sources that are covered. The action seeks to more clearly define the appropriate roles and requirements of sources, permitting authorities and Federal land managers and EPA in the protection of air-quality-related values in Federal Class I areas (i.e., certain national parks and wilderness areas) under the new source review regulations. State, local, and tribal permitting agencies will be given more flexibility to implement program requirements in a manner that meet their specific air quality management needs. Consequently, the rulemaking decreases the number of activities that are subject to NSR requirements and also expedites the permitting process for those sources that are subject to NSR. This action is designed to reduce the regulatory burden over all industries without respect to commercial size or capacity; therefore, it should have no detrimental impact on small businesses. Finally, this action also addresses several pending petitions for judicial review and administrative action pertaining to new source review applicability requirements and control

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technology review requirements. Regulations that will be affected are State implementation plan requirements for review of new sources and modifications to existing sources (40 CFR 51.160-166), the Federal prevention of significant deterioration program (40 CFR 52.21), and Federal restriction on new source construction (40 CFR 52.24) to be proposed in another rulemaking action.

Timetable:

Action	Date	FR Cite
NPRM	07/23/96	61 FR 38249
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3259

Agency Contact: Dennis Crumpler, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
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RIN: 2060—AE11

3266. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73.10

Legal Deadline: None

Abstract: The Acid Rain Program requires affected utility units to hold allowances sufficient to cover emissions of SO₂, have an Acid Rain Permit under part 72, and meet appropriate monitoring requirements under part 75. Many affected units are listed in 40 CFR 73.10 tables 2 and 3. In the process of implementing the Acid Rain Program, EPA has learned that several units listed in the tables should not be affected by the Acid Rain Program requirements. This action would delete specific named units from the tables.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3573

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RIN: 2060—AF46

3267. METHODS FOR MEASUREMENT OF VISIBLE EMISSIONS - ADDITION OF METHODS 203A, 203B, AND 203C TO APPENDIX M OF PART 51

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401(b)(1); 42 USC 7410; 42 USC 7470 to 7479; 42 USC 7501 to 7508; 42 USC 7601(a)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking adds Test Methods 203A, 203B, and 203C to 40 CFR part 51, appendix M (entitled Example Test Methods for State Implementation Plans). These methods describe procedures for estimating the opacity of visible emissions. States have requested that EPA promulgate these methods so that they can use them in State Implementation Plans in enforcing visible emissions regulations from Stationary Sources.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	58 FR 61639
Final Action	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2915

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RIN: 2060—AF83

3268. SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 202; Clean Air Act sec 203; Clean Air Act sec 247; Clean Air Act sec 301(a)

CFR Citation: 40 CFR 85; 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will temporarily raise the 10,000 vehicle sales volume limit for vehicle converters seeking certification under the small-volume manufacturers provisions. In addition, this action will adopt provisions to provide flexibility in assigned deterioration factors for alternative fuel vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/03/96	61 FR 140
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3643

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RIN: 2060—AF87

3269. AMENDMENTS TO PART 60, PART 61, AND PART 63 AND ADDITION OF METHOD 14A TO PART 60

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7410 to 7412; 42 USC 7414; 42 USC 7416

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: This rulemaking will amend the emission test methods and performance specifications in appendices A and B of part 60, appendix B of part 61, and appendix A of part 63 by revising the method format to conform with Environmental Monitoring Management Council (EMMC) guidelines. Conformance to the guidelines will promote consistency among inter-program methods. In addition, minor technical and printing errors in the methods will be corrected. Similar errors in various subparts of part 60 will also be corrected. Performance specification 15 is also being proposed in this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	08/27/97	62 FR 45369
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

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Additional Information: SAN No. 3743

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RIN: 2060—AG21

3270. REGULATION REVIEW/BURDEN REDUCTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Clean Air Act sec 407

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: On March 16, 1995, President Clinton issued a report entitled, Reinventing Environmental Regulation, that identified 25 initiatives to improve the current regulatory system. This action is part of the regulatory review process to reduce unnecessary recordkeeping and reporting requirements. Existing rules are being reviewed for excess and/or duplicative requirements. The Agency will publish a list of those regulations that will be revised or amended to reduce unnecessary recordkeeping and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/11/96	61 FR 47840
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3750

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RIN: 2060—AG30

3271. AMENDMENT TO THE USER FEES FOR RADON PROFICIENCY PROGRAMS RULE

Priority: Other Significant

Legal Authority: 15 USC 2661 to 2665

CFR Citation: 40 CFR 195; 40 CFR 700 (Revision)

Legal Deadline: None

Abstract: The User Fees for Radon Proficiency Programs Final Rule established fees in 1994 that EPA will collect annually to support its voluntary Radon Proficiency Programs. The rule requires individuals and organizations applying to or participating in the Radon Proficiency Program (RPP) to pay annual fees. The final rule states that EPA shall adjust the fees over the next year to a level that will ultimately be sufficient to recover the full annual costs of the program. Through this technical amendment, EPA will revise its fee schedule to collect a larger percentage of its annual (FY 97) operating costs. The annual fees will also reflect changes in the proficiency programs, participation, inflation, etc. In the calculation of the annual fees, the Agency will take into consideration the impact of the fourth year of fee collection on the radon industry.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Sectors Affected: 152 General Building Contractors-Residential Buildings; 171 Plumbing, Heating and Air-Conditioning; 382 Laboratory Apparatus and Analytical, Optical, Measuring, and Controlling Instruments; 873 Research, Development, and Testing Services

Additional Information: SAN No. 3835

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RIN: 2060—AG64

3272. WASTE ISOLATION PILOT PLANT (WIPP) COMPLIANCE CERTIFICATION RULEMAKING

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 102-579 as amended by PL 104-201

CFR Citation: 40 CFR 194

Legal Deadline:

Other, Statutory, May 16, 1998, Land Withdrawal Act.

Abstract: The Waste Isolation Pilot Plant (WIPP) Land Withdrawal Act (Act), amended October 30, 1992, gave the EPA the authority to certify WIPP's compliance with standards developed by EPA for disposal of radioactive waste. This Act supplements EPA's authority, under the Atomic Energy Act and Reorganization Plan No. 3 of 1970, to establish environmental standards that protect the public and the environment from radioactive materials. The Act prescribed the framework for EPA's regulatory oversight of the WIPP disposal system.

The Department of Energy (DOE) is developing the WIPP as a potential deep geologic repository for the disposal of defense transuranic (TRU) radioactive waste. Most TRU waste proposed for disposal at the WIPP consists of items that have become contaminated as a result of activities associated with the production of nuclear weapons, e.g., rags, equipment, tools, protective gear, and organic or inorganic sludges. The WIPP is located in southeastern New Mexico, near Carlsbad, approximately 2,100 feet underground in excavated, natural salt formation. Some of the waste that would be disposed of at the WIPP is currently stored at Federal facilities across the United States. Most of the waste proposed for disposal at the WIPP will be generated in the future as nuclear weapons are disassembled and sites are cleaned up.

Before DOE can dispose of waste at the WIPP, it must demonstrate that the WIPP complies with EPA's radioactive waste disposal standards at subparts B and C of 40 CFR 191. DOE submitted its compliance certification application (CCA) to EPA on October 29, 1996, showing how the WIPP facility will meet the standards. The compliance criteria at 40 CFR 194, which are specific to the WIPP, will be used by EPA to implement the radioactive

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waste disposal standards. The purpose of this rulemaking is to certify, through the use of the compliance criteria, whether the WIPP complies with the disposal standards before waste disposal can begin. Upon receipt of the CCA in October 1996, EPA began reviewing the CCA for both completeness and technical adequacy. On November 15, 1996, the Agency published in the Federal Register, 61 FR 58499, an Advance Notice of Proposed Rulemaking (ANPRM) announcing that the CCA had been received and announcing the Agency's intent to conduct a rulemaking to certify whether the WIPP facility will comply with the disposal regulations. The notice also announced a public comment period and EPA's intent to hold public hearings in New Mexico. In its preliminary review, EPA identified additional information necessary for the CCA to constitute a complete application. EPA requested additional information in a letter transmitted to DOE on December 19, 1996. DOE submitted the requested information in letters to EPA in January and February of 1997. On May 16, 1997, the Administrator informed the Secretary of DOE that the CCA was complete. The completeness determination was announced in the Federal Register on May 22, 1997, 62 FR 27996. EPA is required under the WIPP LWA S8(d)(1)(B) to certify compliance within 1 year after receipt of the Department of Energy's compliance certification application. On October 30, 1997, EPA issued a proposed rulemaking (62 FR 58792) to certify that the WIPP will comply with the radioactive waste disposal regulations set forth at 40 CFR part 191. In developing its proposed rulemaking, EPA conducted an exhaustive scientific review of over 100,000 pages of documentation, held public hearings and meetings in New Mexico, and performed independent audits and tests. Upon publication of the proposed rule in the Federal Register, EPA opened a 120-day public comment period. In an effort to obtain preliminary comments on the proposed decision, EPA held meetings with major stakeholders and held public hearings in three cities in New Mexico. EPA will consider all comments received during the comment period in making its final decision.

Timetable:

Action	Date	FR Cite
ANPRM	11/15/96	61 FR 58499
NPRM	10/30/97	62 FR 58792
Final Rule	05/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3873

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RIN: 2060-AG85

3273. ADDITION OF METHOD 207 TO APPENDIX M OF 40 CFR PART 51 - METHOD FOR MEASURING ISOCYANATES IN STATIONARY SOURCE EMISSIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Clean Air Act Amendments of 1990 listed certain isocyanate compounds as hazardous air pollutants (HAPs). The Agency does not have any published test methods that would measure air emissions of these isocyanate compounds from stationary sources. This action would add a validated test method to measure isocyanate emissions to appendix M of part 51. Test methods in part 51 can be adopted by any State for use in any regulation that requires the measurement of any of the isocyanate compounds on the HAP list. This action would not impose any new regulatory requirements that do not already exist. It should benefit State governments by providing them with a validated test procedure for measuring the emissions of isocyanate compounds.

Timetable:

Action	Date	FR Cite
NPRM	12/07/97	62 FR 64532
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3900

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RIN: 2060-AG88

3274. FEDERAL OPERATING PERMITS PROGRAM IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.4

Legal Deadline:

NPRM, Statutory, November 15, 1997.

Abstract: Recognizing its trust responsibilities to Indian Tribes, EPA plans to exercise its regulatory authority to issue permits to sources of air pollution in Indian country where sources are not regulated by Indian Tribes. The Federal operating permits program for stationary air sources should extend to all of Indian country, but the regulation that created the program inadvertently created a regulatory gap. A change in regulations is needed to assure that each major source in Indian country is subject to either a State, Tribal, or Federal permit program.

The regulatory change would create a level playing field for industry. Also, the regulatory change would assure that EPA can regulate sources that create air pollution problems in Indian country or that are located in Indian country and generate air pollution problems for other areas.

There are no anticipated impacts on small businesses or State or local governments. The regulatory change would eliminate a burden on Tribal governments. They would not need to demonstrate their jurisdiction over an area in order for EPA to administer a permit program for the area.

Timetable:

Action	Date	FR Cite
NPRM	03/21/97	62 FR 13748
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3868

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RIN: 2060—AG90

3275. TIER II (PHASE II) STUDY TO ASSESS FURTHER REDUCTIONS IN LIGHT-DUTY VEHICLES (LDV) AND LIGHT-DUTY TRUCKS (LDT) TAILPIPE EMISSION STANDARDS**Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 91-190; Clean Air Act sec 203(i)**CFR Citation:** 40 CFR 86**Legal Deadline:**

Other, Statutory, June 1, 1997, Report to Congress.

Abstract: EPA is mandated by the Clean Air Act Amendments of 1990 to study whether or not further reductions in emissions from light-duty vehicles and light-duty trucks should be required through lowering tailpipe emissions standards. EPA is required to submit a report to Congress not later than June 1, 1997. The report will consider whether there is a need for further reductions in emissions, whether the technology is available to meet the more stringent standards, and whether further reductions in emissions will be needed and cost effective taking into consideration alternative means of attaining or maintaining national ambient air quality standards.

Timetable:

Action	Date	FR Cite
Final Action	08/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3911

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RIN: 2060—AH04

3276. EMISSION REGULATIONS FOR 1978 AND LATER NEW MOTORCYCLES—PROPOSED CHANGES TO THE DEFINITION OF WEIGHT LIMITATIONS FOR MOTORCYCLES**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act**CFR Citation:** Not yet determined**Legal Deadline:** None

Abstract: This rule will propose changes to the present regulatory definition of a motorcycle to allow two- or three-wheeled vehicles weighing up to 1749 pounds to be considered motorcycles. The proposed changes could reduce administrative burden on the motorcycle industry.

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 30291
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** SAN No. 3912

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RIN: 2060—AH06

3277. ADDITION OF OPACITY METHOD TO APPENDIX M OF 40 CFR PART 51 (METHOD 203)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7410**CFR Citation:** 40 CFR 51**Legal Deadline:** None

Abstract: This rulemaking proposes to add a method, Method 203, for the measurement of opacity from stationary sources, to appendix M (Example Test Methods for State Implementation Plans) in 40 CFR part 51. This action provides States with an instrumental test method which can be used in determining, on a continuous basis, compliance with stationary source opacity emission limitations.

Timetable:

Action	Date	FR Cite
NPRM	10/07/92	57 FR 46114
Final Rule	10/00/98	

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3958

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RIN: 2060—AH23

3278. PROTECTION OF STRATOSPHERIC OZONE: CONTROL OF METHYL BROMIDE EMISSIONS THROUGH USE OF TARPS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7671(g) Clean Air Act section 608**CFR Citation:** 40 CFR 82**Legal Deadline:**

Final, Judicial, January 30, 1998.

Abstract: This action is a determination not to require the use of gas impermeable tarps to control ozone-depleting emissions of methyl bromide where it is used on agricultural fields as a soil fumigant. This determination is based on review of available data and field studies on the use of tarps, particularly gas impermeable tarps, to reduce emissions of methyl bromide prior to its January 1, 2001, phaseout.

Timetable:

Action	Date	FR Cite
Direct Final Determination	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** SAN No. 3982

OMB determined this action to be "not significant" under E.O. 12866.

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RIN: 2060—AH26

3279. REVISION OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF METHYL ACETATE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 to 7641**CFR Citation:** 40 CFR 51.100(s)**Legal Deadline:** None

Abstract: EPA has received a petition to add methyl acetate to the list of compounds considered negligibly reactive in the definition of VOC in 40 CFR 51.100(s). This would remove this compound from regulation as a VOC. Since available data supports

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classification as “negligibly reactive”, EPA plans to propose the action. This action will be deregulatory since this compound would no longer be required to be controlled as a VOC. There should be no impact on small businesses or State/local/tribal governments since no new requirement will be imposed on them.

Timetable:

Action	Date	FR Cite
NPRM	08/28/97	62 FR 44928
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 286 Industrial Organic Chemicals; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products

Additional Information: SAN No. 3943

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RIN: 2060-AH27

3280. REVISIONS FOR OPTING INTO THE ACID RAIN PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601; 42 USC 7651 et seq

CFR Citation: 40 CFR 74.4

Legal Deadline:

NPRM, Judicial, September 9, 1997, Settlement Agreement.
Final, Judicial, April 8, 1998, Settlement Agreement.

Abstract: In fulfilling the settlement of litigation, the Acid Rain Program is proposing to allow nonutility combustion or process sources located with affected utility units a limited exception to the general requirement that there be only one designated representative for all affected units at a source. We are also proposing language to clarify that a thermal energy plan may become effective quarterly rather than only on January 1. These revisions are intended to promote participation in the opt-in program and clarify the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/25/97	62 FR 50456
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3981

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RIN: 2060-AH36

3281. BAN THE SALE OF HALON BLENDS AND THE INTENTIONAL RELEASE OF HALONS DURING TESTING AND TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 82

Legal Deadline:

NPRM, Judicial, June 30, 1997.

Abstract: This rule is in response to a lawsuit filed by the Sierra Club. Pursuant to that lawsuit, EPA and the Sierra Club signed a consent decree containing a number of provisions requiring Agency action. This rule specifically responds to several provisions in that consent decree; namely, the requirement that the Agency issue proposed rules regarding (a) a ban of the sale of all halon blends, (b) the intentional release of halons during repair and testing of equipment containing halons, (c) training concerning the use of such equipment, (d) disposal of halons, and (e) removal or disposal of equipment containing halons at the end of the life of such equipment. The Agency issued a proposed rule addressing these issues, in accordance with the consent decree, on July 7, 1997 (62 FR 36428). This rule represents the Agency's final action, as required by the consent decree, concerning the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/07/97	62 FR 36428
Final Rule	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3984

Agency Contact: Sue Stendebach, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

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RIN: 2060-AH44

3282. EXPANDED ENGINE FAMILY DEFINITIONS FOR ALTERNATIVE FUELED VEHICLES AND ENGINES MEETING LOW-EMISSION VEHICLE (LEV) EXHAUST EMISSION STANDARDS, FEE EXEMPTION, AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2001; 15 USC 2002; 15 USC 2003; 15 USC 2005; 15 USC 2006; 15 USC 213; 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7549; 42 USC 7550; 42 USC 7552

CFR Citation: 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will ease the burden of certification for both Original Equipment Manufacturers (OEMs) and aftermarket conversion entities. This action will, for vehicles and engines meeting LEV emission standards, broaden the definition of the term “dedicated fuel system,” broaden the criteria for engine families, and provide an exemption from certification fees. This action is not a deregulatory action. This action will provide another means for small business to remain active entities in supplying alternatively fueled vehicles to the market place. The above three changes are intended to reduce the cost of complying with the requirements of certification, and small business will benefit from these changes. This action will enhance the ability for the regulated industry to provide alternatively fueled vehicles to the consumer in support the Executive Order 13031.

Timetable:

Action	Date	FR Cite
Direct Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4030

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 RIN: 2060-AH52

3283. INSPECTION/MAINTENANCE (I/M) PROGRAM REQUIREMENT - ON-BOARD DIAGNOSTIC CHECKS; AMENDMENT TO THE FINAL RULE

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7511(a); 42 USC 7521; 42 USC 7541; 42 USC 7601
CFR Citation: 40 CFR 51; 40 CFR 85
Legal Deadline: None

Abstract: The Clean Air Act requires On-Board Diagnostic (OBD) checks as a regular part of enhanced I/M programs. The OBD system is a series of sensors and monitors throughout the emissions control (and other) systems of 1996 and newer cars and trucks. It alerts the driver if there are any failures which increase emissions beyond acceptable levels. Any reoccurring failures will continually light the malfunction indicator light and compel the owner to take the vehicle in for diagnosis and applicable service. However, there is insufficient data on the effectiveness of this new technology. The Agency must determine how effective OBD is at reducing emissions so that an appropriate level of credit can be accorded towards meeting the performance standard. This action will extend the implementation deadline for OBD test requirements from the current date of January 1, 1998 by 2 to 4 years so that the necessary data can be collected.

Timetable:

Action	Date	FR Cite
NPRM	12/22/97	62 FR 66841
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4033

OBD is envisioned to eventually replace tailpipe testing all together. As the implementation of tailpipe and evaporative testing continue to be challenged by political forces and some technical problems, an accurate assessment of OBD's effectiveness is essential to the future of I/M. Delaying the implementation of OBD testing will not have an adverse impact on emissions reductions, not only because OBD-equipped vehicles are the newest

and by far the cleanest but also because OBD equipped vehicles would still be subject to I/M tailpipe testing in applicable areas.

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RIN: 2060-AH62

3284. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORY: PULP AND PAPER PRODUCTION; AMENDMENTS TO THE PROMULGATED RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.440 to 63.459 (Revision)

Legal Deadline: None

Abstract: The purpose of this action is to clarify sections of the promulgated pulp and paper industry maximum achievable control technology (MACT) standards where commenters have indicated that the wording is confusing. This action will also correct any typographical errors noted. This action will contain guidance and amended rule language.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4123

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RIN: 2060-AH74

3285. ELECTRIC ARC FURNACE NSPS AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: Not yet determined

CFR Citation: 40 CFR 60 (Revision)

Legal Deadline: None

Abstract: The NSPS currently requires monitoring of the furnace pressure by installing a pressure sensor in the furnace or in the duct connected to the furnace. Maintaining an operating pressure sensor under these conditions of extreme temperatures is difficult. The NSPS will be amended to allow daily observations of visible emissions from the shop in conjunction with monitoring of primary and secondary emission control system parameters, in lieu of monitoring internal furnace pressure. This amendment was recommended by the iron and steel common sense initiative.

Timetable:

Action	Date	FR Cite
Direct Final	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4125

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RIN: 2060-AH95

3286. NESHAP: PETROLEUM REFINERIES - AMENDMENTS TO FINAL RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.640; 40 CFR 63.641; 40 CFR 63.644; 40 CFR 63.645; 40 CFR 63.648; 40 CFR 63.654

Legal Deadline: None

Abstract: This action corrects errors in the emissions average provisions. It also removes the deadline date for submitting an emissions averaging plan in order to permit refiners the opportunity to average emissions whenever opportunities are identified.

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The action exempts two process vents in refinery hydrogen plants from the emission control requirements in the miscellaneous process vent (MPV) provisions of the rule. The emission controls that provided the basis for the MVP provisions are not applicable to the two vents. The Agency was not aware of this situation at the time the rule was promulgated. Controls that are applicable have not been identified and evaluated.

Opportunities for eliminating redundancy and reducing the burden in the monitoring, recordkeeping and reporting provisions continued to be identified. Such amendments will be included in this action if they do not alter the applicability, stringency, schedule, and enforcement aspects of the rule.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 291 Petroleum Refining

Additional Information: SAN No. 3168

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RIN: 2060-AI00

3287. NAAQS: SULFUR DIOXIDE (REVIEW AND IMPLEMENTATION)

Priority: Economically Significant

Legal Authority: 42 USC 7409; Clean Air Act sec 109

CFR Citation: 40 CFR 50.4; 40 CFR 50.5; 40 CFR 51

Legal Deadline:

NPRM, Judicial, November 1, 1994, (review only).

Final, Judicial, April 22, 1996, (review only).

Abstract: On November 15, 1994, the Environmental Protection Agency (EPA) proposed not to revise the existing 24-hour and annual primary standards. The EPA sought public comment on the need to adopt additional regulatory measures to address the health risk to

asthmatic individuals posed by short-term peak sulfur dioxide exposure.

On March 7, 1995, EPA proposed implementation strategies for reducing short-term high concentrations of sulfur dioxide emissions in the ambient air.

On May 22, 1996, EPA published its final decision not to revise the primary sulfur dioxide NAAQS. The notice stated that EPA would shortly propose a new implementation strategy to assist States in addressing short-term peaks of sulfur dioxide. The new implementation strategy - the Intervention Level Program - was proposed on January 2, 1997. Final action on the Intervention level program is anticipated for December 1998.

Timetable:

Action	Date	FR Cite
NPRM NAAQS Review	11/15/94	59 FR 58958
NPRM NAAQS Implementation (part 51)	03/07/95	60 FR 12492
Final NAAQS Review	05/22/96	61 FR 25566
NPRM Revised NAAQS Implementation (Part 51)	01/02/97	62 FR 210
Final Rule NAAQS Implementation (Part 51)	12/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 1002.

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RIN: 2060-AA61

3288. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act, as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the mineral wool production industry emits several of the 188 HAPs listed in section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the mineral wool production industry to promulgate emission standards.

Timetable:

Action	Date	FR Cite
NPRM Final Action	05/08/97	62 FR 25370
	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3461

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RIN: 2060-AE08

3289. NESHAP: PHOSPHORIC ACID MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997, Clean Air Act Amendments of 1990.

Abstract: The CAAA required EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAAA and to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs so that the schedule is met. The standards

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are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphoric acid manufacturing industry emits several of the 189 HAPs listed in section 112(b) of the CAAA. The purpose of this action is to pursue a regulatory development program that would help to ensure that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3303

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RIN: 2060-AE40

3290. NESHAP: STEEL PICKLING, HC1 PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Hydrochloric acid (HC1) and chlorine are among the pollutants listed as hazardous air pollutants in section 112 of the Clean Air Act, as amended in November of 1990. Steel pickling processes that use HC1 solution and HC1 regeneration processes have been identified by the EPA as potentially significant sources of HC1 and chlorine air emissions and, as such, a source category for which national emission standards may be warranted.

Timetable:

Action	Date	FR Cite
NPRM	09/18/97	62 FR 49052
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3345

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RIN: 2060-AE41

3291. NESHAP: PHOSPHATE FERTILIZERS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997, Clean Air Act Amendments of 1990.

Abstract: EPA is required to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAAA and to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs so that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphate fertilizer production industry emits several of the 189 HAPs listed in section 112(b) of the CAAA. The purpose of this action is to pursue a regulatory development program that would help to ensure that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final Action	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3304

Agency Contact: David Painter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5515

RIN: 2060-AE44

3292. NESHAP: WOOL FIBERGLASS MANUFACTURING INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the wool fiberglass manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the wool fiberglass manufacturing industry to promulgate emission standards within 7 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	03/31/97	62 FR 15228
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 327 Concrete, Gypsum, and Plaster Products

Additional Information: SAN No. 3123

Agency Contact: William Neuffer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AE75

3293. NESHAP: POLYETHER POLYOLS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

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CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Title III of the CAA requires development of emission standards for all major sources emitting any of the hazardous air pollutants (HAPs) identified in section 112(b) of the CAA. Polyether Polyol Production is listed as a category of major sources based on documented emissions of propylene oxide and ethylene oxide. This action will regulate the release of HAPs from the following process areas located at polyether polyol manufacturing facilities: process vents (e.g., reactors), storage, equipment leaks and other fugitive sources, and wastewater operations.

Timetable:

Action	Date	FR Cite
NPRM	09/04/97	62 FR 46804
Correction Notice	10/20/97	62 FR 54410
Final Action	11/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3408

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RIN: 2060—AE81

3294. NESHAP: PHARMACEUTICALS PRODUCTION

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63(G)

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: This regulation would control emissions of hazardous air pollutants from production of pharmaceuticals. Pharmaceuticals production was included on the initial list of categories of sources that was published by EPA in July 1992. Emissions from process vents, equipment leaks, storage tanks, and wastewater systems will be addressed by this regulation for both new and existing facilities.

Timetable:

Action	Date	FR Cite
NPRM	04/02/97	62 FR 15754
Final Action	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 283 Drugs

Additional Information: SAN No. 3451

Agency Contact: Randy McDonald, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AE83

3295. NESHAP: PESTICIDE ACTIVE INGREDIENT PRODUCTION (PRODUCTION OF AGRICULTURAL CHEMICALS)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Clean Air Act sec 112

CFR Citation: Not yet determined

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: The following ten source categories (which are all pesticide active ingredients) are listed under the Production of Agricultural Chemicals (PAC) industry group: 1) 2,4-D Salts and Esters Production; 2) 4-Chloro-2-Methylphenoxyacetic Acid Production; 3) 4, 6-Dinitro-o-Cresol Production; 4) Captafol Production; 5) Captan Production; 6) Chloroneb Production; 7) Chlorothalonil Production; 8) Dacthal (tm) Production; 9) Sodium Pentachlorophenate Production; 10) Tordon (tm) Acid Production.

On November 10, 1997, the EPA proposed standards for all pesticide active ingredient producers including the 10 categories listed above. Any other pesticide active ingredient production plant which produces or uses any of the 188 listed hazardous air pollutants were also included. A variety of HAPs are emitted including, toluene, formaldehyde, methanol, chlorinated compounds, etc.

Timetable:

Action	Date	FR Cite
NPRM	11/10/97	62 FR 60566
Final Rule	03/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3450

Agency Contact: Lalit Banker, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AE84

3296. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act (CAA) requires development of emission standards for all major sources, and selected area sources, emitting any of the hazardous air pollutants (HAP) identified in section 112(b) of the CAA. Flexible Polyurethane Foam Production is listed as a category of major sources based on documented emissions of methylene chloride and 2,4-toluene diisocyanate. This action will regulate the release of HAP from the following emission sources located at slabstock, rebond, and molded polyurethane foam production facilities: process vents, storage, equipment leaks and other fugitive sources, and transfer operations. This action, however, will not cover emissions from foam fabrication (i.e., gluing and flame lamination). In June 1996 the Agency added a separate source category to address HAP from fabrication operations.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68406
Correction Notice	02/03/97	62 FR 05074
Final Rule	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 308 Miscellaneous Plastics Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3338

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RIN: 2060—AE86

3297. NESHAP: MANUFACTURE OF TETRAHYDROBENZALDEHYDE**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act sec 112(d)**CFR Citation:** 40 CFR 63(F)(G)(H)**Legal Deadline:**

Final, Statutory, November 15, 1997.

Abstract: The purpose of this action is to develop a MACT standard for the production of Tetrahydrobenzaldehyde. (Referred to in the initial Source Category List as Butadiene Dimmers). The emissions sources that will be controlled are process vents (e.g. reactors); storage; equipment leaks and other fugitive sources; transfer operations; and wastewater operations.

Timetable:

Action	Date	FR Cite
NPRM	08/22/97	62 FR 44614
Final Rule	04/00/98	

Small Entities Affected: None**Government Levels Affected:** State, Federal**Sectors Affected:** 286 Industrial Organic Chemicals**Additional Information:** SAN No. 3469

Agency Contact: John Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AE99

3298. NESHAP: RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 Clean Air Act sec 112**CFR Citation:** 40 CFR 61**Legal Deadline:** None

Abstract: EPA has granted a petition for reconsideration for the portion of the rule which regulates phosphogypsum for research and development uses. This regulatory proceeding would result in a final rule which may increase the limit and reduce the certification requirements for that use.

Timetable:

Action	Date	FR Cite
NPRM	05/08/96	61 FR 20775
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2547

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Phone: 202 564-9762

RIN: 2060—AF04

3299. TECHNICAL AMENDMENTS TO AEROSPACE NESHAP**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** None

Abstract: The NESHAP for Aerospace Manufacturing and Rework Facilities was promulgated in August of 1995. Afterwards, we discovered a few problems with the rule and still need to publish the CTG for this industry. This action would correct these problems and announce the CTG. An additional set of amendments will be proposed at the same time which will address issues with General Aviation.

Timetable:

Action	Date	FR Cite
NPRM	10/29/96	61 FR 55842
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Sectors Affected:** 372 Aircraft and Parts**Additional Information:** SAN No. 3836

Agency Contact: Barbara Driscoll, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AG65

3300. SPECIFIC POLLUTANTS: LIST OF CATEGORIES EMITTING 7 SPECIFIED HAZARDOUS AIR POLLUTANTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412(c)(6) Clean Air Act sec 112(c)(6)**CFR Citation:** Not yet determined**Legal Deadline:**

NPRM, Judicial, June 11, 1997, Notice of Availability.
Final, Judicial, March 4, 1998.

Abstract: Under CAA section 112(c)(6), special studies are required to identify, for potential standards development, sources and national emissions of seven specific air toxics. These seven are alkylated lead compounds, polycyclic organic matter (POM), hexachlorobenzene, mercury, polychlorinated biphenyls (PCBs), 2,3,7,8-tetrachlorodibenzofurans (2,3,7,8-TCDF), and 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD). EPA is required to identify the sources accounting for 90% of the emissions of these pollutants and assure that those sources are subject to standards.

Timetable:

Action	Date	FR Cite
Announcement	06/11/97	62 FR 33625
Final Action	04/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3960

Agency Contact: Laurel Driver, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
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RIN: 2060—AH20

3301. FIELD CITATION PROGRAM**Priority:** Other Significant**Legal Authority:** 42 USC 7413(d) Clean Air Act sec 113(d)**CFR Citation:** 40 CFR 59**Legal Deadline:** None

Abstract: The Clean Air Act Amendments gives EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to \$5,000 per day of violation. Section 113(d) of the Act requires the field citation program to

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be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative Procedures Act (APA), but nevertheless must provide due process. Agency guidance providing appropriate penalties for specific minor violations will be prepared for EPA employees and made available to the regulated community. Training on the issuance of field citations will also be developed.

Timetable:

Action	Date	FR Cite
NPRM Final Rule	05/03/94 04/00/98	59 FR 22776

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2937

Agency Contact: Cary Secrest, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2242A, Washington, DC 20460

Phone: 202 260-8661

RIN: 2020-AA32

3302. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE, INDIVIDUAL BASELINE FUEL ADJUSTMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7414 Clean Air Act sec 114; 42 USC 7545(c) Clean Air Act sec 211(c); 42 USC 7601 Clean Air Act sec 301

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: This rule would establish criteria by which a refiner could receive an adjustment to its baseline under certain circumstances. Baseline adjustments reduce the cost of compliance (primarily with the anti-dumping requirements of the reformulated gasoline program) for those refiners which would otherwise be extremely burdened.

Baseline adjustments under certain circumstances were provided for in the

December 1993 final Reformulated Gasoline and Anti-Dumping rule. However, baseline adjustments are only allowed under certain narrowly defined circumstances; broad adjustments are beyond EPA's discretion. The circumstances for which baseline adjustments would be allowed under this rule are as follows: 1) production of JP-4 in 1990; 2) use of an extremely low-sulfur crude in 1990; 3) having extremely low baseline values for sulfur and solefins. Refiners must meet specific criteria in order to qualify for one or more of these adjustments.

Timetable:

Action	Date	FR Cite
NPRM Final Rule	08/04/95 04/00/98	60 FR 40009

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3604

Agency Contact: Christine Brunner, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105

Phone: 313 668-4287

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RIN: 2060-AG80

3303. TRANSPORTATION CONFORMITY RULE AMENDMENT AND SOLICITATION FOR PARTICIPATION IN THE PILOT PROGRAM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 to 7671 Clean Air Act sec 176

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

Abstract: The Transportation Conformity rule promulgated in November 1993 ensures that transportation and air quality planning are consistent with Clean Air Act air quality standards. This action is part of an Agency effort to streamline the existing conformity regulation and offer flexibility in the conformity process. This action would amend the conformity regulation to allow EPA to create and implement a conformity pilot program.

The rule amendment would allow EPA to exempt up to six areas from certain requirements of the conformity rule. The main objective of the pilot program is to offer State and local air and transportation agencies the flexibility to identify the conformity procedures that work best for their area. This action will enable EPA to test out innovative methods of streamlining the conformity regulation's requirements while ensuring that Clean Air Act objectives are met. In addition to the rule amendment, this action also includes the pilot program's proposed eligibility and application requirements, selection criteria, and implementation procedures.

Timetable:

Action	Date	FR Cite
NPRM Final Action	07/09/96 04/00/98	61 FR 35994

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3610

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RIN: 2060-AG79

3304. NATIONAL VOC EMISSION STANDARDS FOR AUTOMOBILE REFINISH COATINGS

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990 sec 183(e)

CFR Citation: 40 CFR 59

Legal Deadline:

Final, Statutory, March 1997.

Abstract: Section 183(e) requires EPA to study the emissions of volatile organic compounds (VOC) from consumer and commercial products, list those categories of products that account for at least 80 percent of the total VOC emissions from consumer and commercial products in areas classified as nonattainment for ozone, divide the list into four groups, and regulate one group every 2 years using best available controls (BAC). Based on

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the criteria described in the consumer and commercial product study (March 1995), and category listing (March 1995), EPA has determined that VOC emissions from automobile refinish coatings should be regulated. Automobile refinish coatings can be generally classified as primers and topcoats, each consisting of several different types. The proposed rule divides automobile refinish coatings into 6 categories, and contains VOC content limits for each category. Automobile refinish coatings are used by body shops and by do-it-yourselfers. However, the proposed rule does not directly affect these small businesses. Rather, the rule would apply to coating manufacturers and importers, and would limit the VOC content of coatings that are produced for sale in the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/30/96	61 FR 19005
Supplemental NPRM	12/30/97	62 FR 67784
Final Rule	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3281

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060-AE35

3305. VOC REGULATION FOR ARCHITECTURAL COATINGS

Priority: Other Significant

Legal Authority: 42 USC 7401 Clean Air Act sec 183

CFR Citation: 40 CFR 59

Legal Deadline:

Final, Statutory, March 15, 1997.

Abstract: This regulation will control volatile organic compound (VOC) emissions from architectural coatings. These coatings are applied to stationary structures and their appurtenances, to portable buildings, to pavements, or to curbs. Traditional VOC limitations, market-based approaches, and phased-in approaches are all being considered. The EPA is working with coating manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the

industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Timetable:

Action	Date	FR Cite
NPRM	06/25/96	61 FR 32729
Final Rule	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Additional Information: SAN No. 3351

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RIN: 2060-AE55

3306. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline:

Final, Statutory, March 1997.

Abstract: This regulation will reduce volatile organic compound (VOC) emissions from 24 types of consumer products which are currently regulated by California and several other States. The EPA is working with consumer product manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Timetable:

Action	Date	FR Cite
NPRM	04/02/96	61 FR 14531
Final Action	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Sectors Affected: 284 Soaps, Detergents, and Cleaning Preparations, Perfumes, Cosmetics, and Other Toilet Preparations; 287 Agricultural Chemicals; 289 Miscellaneous Chemical Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3658

Agency Contact: Bruce Moore, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AF62

3307. REDUCTION OF VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS FROM COATINGS USED IN THE AEROSPACE, WOOD FURNITURE, AND SHIPBUILDING INDUSTRIES UNDER CLEAN AIR ACT SECTION 183(E)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: This action would result in the reduction of volatile organic compound (VOC) emissions from the coatings used by the Aerospace, Wood Furniture and Shipbuilding industries. The Agency will study the various VOC pollutants contained in these coatings and will evaluate pollution prevention and control techniques which can reduce these emissions; Control Techniques Guidelines can be issued in lieu of regulations if they are substantially as effective in reducing VOC emissions from the use of these coatings in ozone nonattainment areas. This rulemaking will be conducted in accordance with statutory requirements for VOC emission reduction under section 183(e) of the Clean Air Act. The development of these VOC rules will use data recently gathered for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for these industries. This will maximize resources and avoid duplication of data gathering efforts. There are small businesses in these industries, but at this time it is not known how many will be affected by these rules or guidelines.

Timetable:

Action	Date	FR Cite
NPRM	08/22/97	62 FR 44672
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

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Sectors Affected: 37 Transportation Equipment; 45 Transportation by Air; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 25 Furniture and Fixtures

Additional Information: SAN No. 3828

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RIN: 2060-AG59

3308. OPEN-MARKET TRADING GUIDANCE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: Clean Air Act sec 182; Clean Air Act sec 187

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) will issue guidance for open-market trading of ozone smog precursors (volatile organic compounds and oxides of nitrogen) that will provide more flexibility than ever before for companies to trade emission credits without prior State or Federal approval. Once the State implementation plan (SIP) is approved, companies could engage in emissions trades without prior regulatory approval as long as accountability is ensured in accordance with the guidance. The intended benefits of an active market in emissions trading are compliance with the ozone standard at far less cost and an increased incentive to develop innovative emission-reduction technologies.

Timetable:

Action	Date	FR Cite
NPRM	08/03/95	60 FR 39668
Notice Inclusion of Proposed Model Rule	08/25/95	60 FR 44290
Final Action	05/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3660

Agency Contact: Nancy Mayer, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
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RIN: 2060-AF60

3309. REVISED CARBON MONOXIDE (CO) STANDARD FOR CLASS I AND II NONHANDHELD NEW NONROAD PHASE I SMALL SPARK-IGNITED ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521 Clean Air Act sec 201

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This direct final rule revises the existing new nonroad Phase I small spark-ignited (SI) engine regulations. Briggs and Stratton Corporation submitted a petition to the Administrator on March 4, 1996, asking the Agency to reconsider the existing regulation and to either allow the use of oxygenated certification fuels with the current CO standard or revise the existing carbon monoxide (CO) emission standard for class I and II nonhandheld engines. Briggs and Stratton argues that the majority of nonhandheld engines sold in the United States cannot meet the current CO standard when tested on the monooxygenated certification test fuel specified in the regulations. EPA has finalized the CO standard on the basis of data provided to the Agency by Briggs and Stratton. The Agency had assumed that the data was collected using Indolene (a monooxygenated, nonreformulated gasoline) as the test fuel. In fact, Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO.

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34778
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3300

EPA staff are analyzing new data provided by Briggs and Stratton concerning the amount of the CO emission offset between Indolene and RFG for nonhandheld engines. Based on data analysis and documentation provided by Briggs and Stratton in support of their petition, EPA intends to determine the amount of the emission offset and consider raising the Phase I CO emission standard for nonhandheld engines accordingly. In their petition to EPA, Briggs and Stratton assert that raising the CO standard should result in reduced emissions of hydrocarbons and oxides of nitrogen, which are the primary pollutants of concern under the Phase I small SI rule.

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RIN: 2060-AG81

3310. • IMPORTATION OF NONCONFORMING VEHICLES; AMENDMENTS TO REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7522; Clean Air Act sec 203; 42 USC 7525; Clean Air Act sec 206; 42 USC 7541; Clean Air Act sec 207; 42 USC 7542; Clean Air Act sec 208; 42 USC 7601; Clean Air Act sec 301; 42 USC 7522; Clean Air Act sec 203; 42 USC 7550; Clean Air Act sec 216; 42 USC 7601

CFR Citation: 40 CFR 85

Legal Deadline: None

Abstract: This action will amend the regulations in 40 CFR part 85, subpart P to allow entry into the U.S. of vehicles which are originally sold in Canada and which are identical to their U.S. counterparts, without obtaining a certificate of conformity from EPA. This action is in response to a petition for review of import rules. The final rule also will address certain other issues in part 85, subpart P and subpart R, including: 1) formalizing a longstanding EPA policy regarding the importation of owned vehicles that are proven to be identical to a vehicle certified for sale in the U.S., 2) establishing new emission standards applicable to imported nonconforming vehicles, 3) clarifying the regulatory language that

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concerns exclusions and exemptions from meeting Federal emission requirements, and 4) providing several minor clarifications to the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/24/94	59 FR 13912
Supplemental NPRM	02/12/96	61 FR 5840
Final Rule	11/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2665

Agency Contact: Len Lazarus, Environmental Protection Agency, Air and Radiation, 6405J, Washington, DC 20460

Phone: 202 233-9281

RIN: 2060—AI03

3311. REVISION TO THE COVERED AREAS PROVISION FOR REFORMULATED GASOLINE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7545 Clean Air Act sec 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline).

The RFG regulations also include a provision which allows a State, upon petition by the Governor, to have other areas designated as nonattainment for ozone included as covered areas under the Federal RFG program (the opt-in provision).

This action will expand the opt-in provision to include areas that formerly were in nonattainment for ozone as well as areas presently in nonattainment for ozone. This action will give States the flexibility to use the RFG program in their maintenance plans and as contingency measures for those areas that have been redesignated

to attainment status but are in need of ozone controls to maintain that status.

Timetable:

Action	Date	FR Cite
NPRM	03/26/97	62 FR 25074
Final Rule	06/00/98	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3843

Agency Contact: Karen Smith, Environmental Protection Agency, Air and Radiation, 6406J, Washington, DC 20460

Phone: 202 564-9674

RIN: 2060—AG77

3312. APPLICABILITY OF ON-HIGHWAY HEAVY-DUTY CERTIFIED ENGINES FOR USE IN NONROAD HEAVY-DUTY VEHICLES AND EQUIPMENT; AMENDMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7521 to 7525; 42 USC 7541 to 7543; 42 USC 7547

CFR Citation: 40 CFR 9; 40 CFR 89

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to allow the use of on-highway heavy-duty certified engines in nonroad heavy-duty vehicles and equipment. This will eliminate hardships caused by the imposition of nonroad heavy-duty rules on specialty vehicles and equipment that have historically elected to use cleaner on-highway heavy-duty engines.

Timetable:

Action	Date	FR Cite
NPRM	11/12/96	61 FR 58102
Final Rule	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3842

Agency Contact: John Guy, Environmental Protection Agency, Air and Radiation, 6403J, Washington, DC 20460

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RIN: 2060—AG78

3313. NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS (25 HORSEPOWER) (PHASE 2)

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7547 Clean Air Act sec 213

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This action will establish the second phase of emissions standards for new nonroad spark-ignition engines at or below 19 kilowatts (25 horsepower), as required by section 213(a)(3) of the Clean Air Act as Amended. The Environmental Protection Agency (EPA) had been developing the second phase of small-engine regulations through a negotiated rulemaking, with representation by engine manufacturers, equipment manufacturers, emissions control manufacturers, equipment dealers, environment and public health interests, and State air programs. The negotiations came to an end on February 16, 1996 with no consensus reached. EPA will now develop the rulemaking through other means.

The affected engines are used in lawn, garden, and utility equipment, such as lawnmowers, string trimmers, chain saws, and small pumps and generators. The first phase was established July 3, 1995 (60 FR 34582), effective for the 1997 model year, and was very similar to the tier 1 small-engine regulations developed by California for the same engines. Regulated pollutants are hydrocarbons, carbon monoxide, and oxides of nitrogen.

Timetable:

Action	Date	FR Cite
ANPRM	03/27/97	62 FR 14740
NPRM Hand-held engines	01/27/98	63 FR 3950
NPRM Non-hand-held engines	01/27/98	63 FR 3950
Final Rule Hand-held engines	12/00/98	
Final Rule Non-hand-held engines	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Federal

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Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3361

Agency Contact: Betsy McCabe, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
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RIN: 2060—AE29

3314. NSPS: NITROGEN OXIDE EMISSIONS FROM FOSSIL-FUELED STEAM GENERATING UNITS—REVISION

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: Clean Air Act Amendments of 1990 sec 407(c)

CFR Citation: 40 CFR 60.40

Legal Deadline:

NPRM, Judicial, July 1, 1997.
Final, Judicial, September 3, 1998,
Deadlines may be revised.

Abstract: The current NSPS for electric utility and nonutility steam generating units were promulgated in 1979 and 1986, respectively. A major feature of the NSPS is NOx control through the use of low NOx burners or overfired air. Section 407 of the Clean Air Act requires the EPA to revise existing NSPS for NOx emissions from fossil-fuel fired steam generating units, including both electric utility and nonutility units. These revised standards are to reflect improvements in methods for the reduction of NOx emissions.

Timetable:

Action	Date	FR Cite
NPRM	07/09/97	62 FR 36948
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3352

Agency Contact: James Eddinger, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AE56

3315. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE REGARDING A RECYCLING STANDARD UNDER SECTION 608

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq Clean Air Act sec 608

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: This rule will amend the recordkeeping aspects of the technician certification program, clarify aspects of a sales restriction, and adopt an updated version of ARI standard 740. The rule will also clarify the distinction between major and minor repairs and amend several definition including small appliances. The rule also address the transfers of unreclaimed refrigerant between majority owned and majority controlled subsidiaries.

Timetable:

Action	Date	FR Cite
NPRM 1	02/29/96	61 FR 7858
NPRM	11/01/96	61 FR 56493
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3556
Additional SANs 3895, 3896

This rule will be a reproposal. This rule will address a potential adoption of a more flexible method for cleaning refrigerants transferred between appliances with different ownership with a potential adoption of a 3rd party certification program for labs.

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RIN: 2060—AF36

3316. UPDATE OF THE ACCEPTABILITY LIST UNDER THE SIGNIFICANT NEW ALTERNATIVES POLICY (SNAP) PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671k Clean Air Act sec 612

CFR Citation: 40 CFR 9; 40 CFR 82

Legal Deadline: None

Abstract: Section 612 of the Clean Air Act requires EPA to identify alternatives to Class I and II ozone depleting substances and to publish lists of acceptable and unacceptable substitutes. Producers of substitutes must notify EPA at least 90 days before alternatives are introduced into interstate commerce. Unlike acceptable alternatives (see Notices), substitutes which are deemed by EPA to be unacceptable or acceptable subject to use restrictions must go through notice and comment rulemaking. Substitute lists are updated intermittently depending on the volume of notifications.

Timetable:

Action	Date	FR Cite
ANPRM	01/16/92	57 FR 1984
NPRM	05/12/93	58 FR 28094
Final Rule	03/18/94	59 FR 13044
Notice - 1	08/26/94	59 FR 44240
NPRM - 1	09/26/94	59 FR 49108
Notice - 2	01/13/95	60 FR 3318
Final Rule	06/13/95	60 FR 31092
Notice - 3	07/28/95	60 FR 38729
NPRM - 2	10/02/95	60 FR 51383
Notice - 4	02/08/96	61 FR 4736
NPRM - 3	05/22/96	61 FR 25604
Final Rule	05/22/96	61 FR 25585
Notice - 5	09/05/96	61 FR 47012
Final Rule	10/16/96	61 FR 54030
Notice - 6	03/10/97	62 FR 10700
NPRM - 4	05/21/97	62 FR 27874
Notice 7	06/03/97	62 FR 30275
Final Rule	07/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3525
(Generic SAN)

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RIN: 2060—AG12

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3317. TECHNICAL AMENDMENTS TO HAZARDOUS WASTE TREATMENT STORAGE AND DISPOSAL FACILITIES AND HAZARDOUS WASTE GENERATORS: ORGANIC AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS AND CONTAINERS**Priority:** Substantive, Nonsignificant**Legal Authority:** Resource Conservation Recovery Act sec 3002; Resource Conservation Recovery Act sec 3004**CFR Citation:** 40 CFR 264; 40 CFR 265; 40 CFR 270**Legal Deadline:** None**Abstract:** These standards were promulgated on December 6, 1994, and were effective on December 6, 1996. The final standards control organic air emissions from hazardous waste TSDF and generator sites. These emissions have been shown to contribute greatly to ground-level ozone formation and to

cancer incidence among exposed populations.

Following promulgation, the EPA identified certain provisions for which the intended emission reductions can be achieved with less burdensome standards. The EPA amended the final rule on 11/25/96 to include several revised provisions, including the following: certain fixed-roof tanks may be equipped with pressure relief devices that vent to the atmosphere; containers may be vented during loading and emptying operations; a facility may comply with the final rule using an implementation schedule in several different circumstances; and the frequency of monitoring for certain equipment shall be semiannual rather than annual. An additional amendment was promulgated 12/8/97 to clarify the intent and effect of a few amendment provisions which were not clear in the 11/25/96 amendment notice. An additional amendment may be published in spring 1998 that may

provide facilities to vent emissions from tank enclosures to non-combustion devices, as explained in the 12/8/97 preamble.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41870
Technical Amendments	02/09/96	61 FR 4903
Final	11/25/96	61 FR 59931
Technical Amendments	12/08/97	62 FR 64636
Technical Amendment	05/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** SAN No. 3792**Agency Contact:** Michele Aston, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2363**RIN:** 2060-AG44

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Air Act (CAA)

3318. ● CARBON BLACK PRODUCTION NESHAP**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act sec 112**CFR Citation:** Not yet determined**Legal Deadline:**

Final, Statutory, November 15, 2000.

Abstract: The purpose of this action is to develop a Maximum Achievable Control Technology (MACT) Standard for the production of carbon black. The Clean Air Amendments of 1990 require this action to be promulgated by November 15, 2000. The production of carbon black results in the release to the air of three hazardous air pollutants (HAPs) identified by the Act: carbon disulfide, carbonyl sulfide, and hydrogen cyanide. Health effects of these chemicals include acute effects such as nausea, headache, increased rate of respiration, eye and skin irritation and other effects. Chronic effects can include cardiovascular and respiratory effects. Additionally carbon disulfide has been observed to cause reproductive effects such as congenital malformations, embryotoxicity, and functional and behavioral disturbances in animal studies. Carbon black is widely used as a reinforcing agent for

rubber. It is also used as a colorant for printing ink, painting, paper and plastics. By far the largest use of carbon black is in the manufacture of automotive tires. There are 24 carbon black facilities in the nation. Carbon black is manufactured by burning hydrocarbons in a limited supply of air. This produces a black smoke containing extremely small carbon black particles which can be separated from the combustion gases to form a fluffy powder of intense blackness.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Sectors Affected:** 289 Miscellaneous Chemical Products**Additional Information:** SAN No. 4105**Agency Contact:** John Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AH68**3319. NESHAP: OIL AND NATURAL GAS PRODUCTION****Priority:** Other Significant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	02/02/98	63 FR 6288
Final Action	05/00/99	

Small Entities Affected: Businesses**Government Levels Affected:** Undetermined**Agency Contact:** Stephen Shedd
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Email: shedd.steve@epamail.epa.gov**RIN:** 2060-AE34**3320. NESHAP: IRON FOUNDRIES AND STEEL FOUNDRIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 40 CFR 63

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Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: James Maysilles
Phone: 919 541-3265

RIN: 2060-AE43

3321. NESHAP: CYANIDE CHEMICAL MANUFACTURING

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Keith Barnett
Phone: 919 541-5289

RIN: 2060-AE45

3322. NESHAP: INTEGRATED IRON AND STEEL

Priority: Economically Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Phil Mulrine
Phone: 919 541-5289

RIN: 2060-AE48

3323. NESHAP: INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Eddinger
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RIN: 2060-AG69

3324. NESHAP: MANUFACTURE OF CARBON BLACK

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: John Schaefer
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RIN: 2060-AH19

3325. OPERATING PERMITS: REVISIONS (PART 70)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 70; 40 CFR 51

Timetable:

Action	Date	FR Cite
NPRM	08/29/94	59 FR 44460
NPRM Supplemental Proposal for Part 71	04/27/95	60 FR 20804
NPRM Supplemental Proposal for Part 70	08/31/95	60 FR 45530
Final Action	04/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Ray Vogel
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RIN: 2060-AF70

3326. SERVICE INFORMATION AVAILABILITY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 86

Timetable:

Action	Date	FR Cite
Final Rule	04/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2060-AG13

3327. NSPS: SEWAGE SLUDGE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
ANPRM	01/14/97	62 FR 1868
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Eugene Crumpler
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RIN: 2060-AG50

3328. NESHAP: PLYWOOD AND PARTICLE BOARD MANUFACTURING

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

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Agency Contact: Penny Lassiter
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RIN: 2060-AG52

3329. NESHAP: MISCELLANEOUS CELLULOSE PRODUCTION

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William Schrock
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RIN: 2060-AH11

3330. NESHAP: MUNICIPAL SOLID WASTE LANDFILLS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Michele Laur
Phone: 919 541-2421

RIN: 2060-AH13

3331. STORAGE TANK RULE REVISIONS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 60 (Revision); 40 CFR 61 (Revision); 40 CFR 63 (Revision); 40 CFR 264 (Revision); 40 CFR 265 (Revision)

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Mark Morris
Phone: 919 541-5416

RIN: 2060-AH15

3332. TRANSPORTATION CONFORMITY RULE AMENDMENT: CLARIFICATION OF TRADING PROVISIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 51; 40 CFR 93

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laura Voss
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RIN: 2060-AH31

3333. NESHAP: COKE OVENS: PUSHING, QUENCHING, & BATTERY STACKS

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Rule	05/00/00	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Alfred Vervaert
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RIN: 2060-AH55

3334. • FUMED SILICA PRODUCTION NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The CAA required EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAP) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the

maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the fumed silica production industry may be reasonably anticipated to emit one or more of the pollutants listed in section 112 (b) of the CAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within ten years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emissions standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 281 Industrial Inorganic Chemicals

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4111

Agency Contact: Jeff Telander, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
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RIN: 2060-AH72

3335. • MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY NESHAP FOR TACONITE IRON ORE PROCESSING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112; PL 91-190, sec 203

CFR Citation: Not yet determined

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: More than two-thirds of the iron ore produced in the United States consists of taconite, a low-grade iron ore largely from deposits in Minnesota and Michigan. Processing of taconite consists of crushing and grinding the ore to liberate iron-bearing particles, concentrating the ore by separating the particles from the waste material (gangue), and pelletizing the iron ore concentrate. The taconite iron ore processing category includes any facility engaged in separating and

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concentrating iron ore from taconite, including but not limited to the following: liberation of the iron ore by wet or dry crushing and grinding, concentration of the iron ore by magnetic separation or flotation, pelletization by wet tumbling with a balling drum or balling disc, and induration using a vertical shaft furnace, straight grate, circular grate, or grate/kiln.

The taconite iron ore processing source category is comprised of nine facilities operating in the United States. Seven facilities are located in Minnesota and two are located in Michigan. The expected sources of HAP emissions for this source category include: fossil fuel combustion sources, and possibly the handling and transfer of mined ore containing naturally occurring inorganic compounds. Anticipated HAP emissions released from these sources primarily include: formaldehyde, manganese, nickel, arsenic, and chromium. The HAP emissions from this source category are estimated to be approximately 180 tons/yr. The HAP emissions from individual facilities are estimated to range from 1.6 tons/yr to 41.6 tons/yr.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
Final Rule	12/00/02	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 101 Iron Ores

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 4102

There are nine taconite processing facilities in the US; seven are located in Minnesota and two are located in Michigan. The MACT standard for this industry group will be shared between EPA and the state of Minnesota. State regulations currently in place include both air emissions limitations and prohibition of effluent discharge to Great Lakes waters, and both air and water monitoring requirements. Other existing Federal regulations may be affected under RCRA and TSCA.

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RIN: 2060-AH73

3336. • NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR THE HYDROCHLORIC ACID PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12291

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000, Clean Air Act.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of the EPA. The EPA has determined that some hydrochloric acid plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the hydrochloric acid production industry, to be promulgated by November 15, 2000.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 286 Industrial Organic Chemicals; 281 Industrial Inorganic Chemicals

Additional Information: SAN No. 4104

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RIN: 2060-AH75

3337. • NESHP: AMMONIUM SULPHATE PRODUCTION (CAPROLACTAM BY-PRODUCT)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This project is to develop national emissions standards for hazardous air pollutants (NESHP) by establishing emissions limitations for hazardous air pollutants (HAP) which can be emitted by the three known sources in this category. The emissions limitations are to be based upon the application of the maximum achievable control technology (MACT). The purpose of the NESHP is to reduce emissions of HAP to protect public health and the environment. The project is scheduled to begin in the fall of 1997. The initial stage of this project is to gather information on the industry processes, emissions of HAP and available emissions control technologies. That work will be followed by the development, proposal and promulgation of NESHP.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Rule	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4116

Agency Contact: David Painter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AH77

3338. • NESHP: ASPHALT / COAL TAR APPLICATION ON METAL PIPES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all

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categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the application of asphalt or coal tar to metal pipes may reasonably be anticipated to emit several of the 189 HAPs listed in section 112 (b) of the CAA. As a consequence, a regulatory development program is being pursued for the asphalt/coal tar application on metal pipes industry to promulgate emission standards within 10 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Rule	01/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 347 Coating, Engraving, and Allied Services

Additional Information: SAN No. 4107

Agency Contact: Bill Neuffer, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
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RIN: 2060-AH78

3339. • NESHAP: CLAY PRODUCTS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed

categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the clay products manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in section 112 (b) of the CAA. As a consequence, a regulatory development program is being pursued for the clay products manufacturing industry to promulgate emission standards within 10 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Rule	01/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 325 Structural Clay Products

Additional Information: SAN No. 4113

Agency Contact: Bill Neuffer, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
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RIN: 2060-AH79

3340. • NESHAP: HYDROGEN CHLORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of the EPA. The EPA has determined that some plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the hydrogen chloride industry, to be promulgated by November 15, 2000.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Rule	11/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 286 Industrial Organic Chemicals; 281 Industrial Inorganic Chemicals; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 4112

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RIN: 2060-AH80

3341. • NESHAP: POLYVINYL CHLORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the administrator of the EPA. The EPA has determined that some plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the polyvinyl chloride industry, to be promulgated by November 15, 2000.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Rule	06/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4114

Agency Contact: Warren Johnson, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711

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RIN: 2060-AH82

3342. • NESHAP: URANIUM HEXAFLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:

Final, Statutory, November 7, 2000.

Abstract: This project will develop national emissions standards for hazardous air pollutants (NESHAP) by establishing emissions limitations for hazardous air pollutants (HAP) which can be emitted by the two known sources in this category. The emissions limitations are to be based upon the application of the maximum achievable control technology (MACT). The purpose of the NESHAP is to reduce emissions of HAP to protect public health and the environment. The project will begin in the spring of 1999. Initially, information on the industry processes and emissions of HAP will be analyzed to identify available emissions control technologies. That work will be followed by the development, proposal and promulgation of NESHAP.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Rule	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 4098

Agency Contact: David Painter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AH83

3343. NESHAP/NSPS: RECIPROCATING INTERNAL COMBUSTION ENGINE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 60; 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, Tribal

Agency Contact: Amanda Agnew
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RIN: 2060-AG63

3344. NESHAP/NSPS: COMBUSTION TURBINE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 44 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sims Roy
 Phone: 919 541-5263
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RIN: 2060-AG67

3345. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None

Government Levels Affected: None

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 strum.madeleine@epamail.epa.gov

RIN: 2060-AE79

3346. NESHAP: MISCELLANEOUS ORGANIC CHEMICAL PRODUCTION AND PROCESSES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Randy McDonald
 Phone: 919 541-5402

RIN: 2060-AE82

3347. NESHAP: CHLORINE PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Iliam Rosario
 Phone: 919 541-5308

RIN: 2060-AE85

3348. NESHAP: PAINT STRIPPER USERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steve Fruh
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RIN: 2060-AG26

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3349. NESHAP: BOAT MANUFACTURING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Rule	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

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RIN: 2060-AG27

3350. NESHAP: TIRE MANUFACTURING

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
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RIN: 2060-AG29

3351. PETROLEUM SOLVENT DRY CLEANERS MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) STANDARD

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Szykman
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RIN: 2060-AG34

3352. LARGE APPLIANCE (SURFACE COATING) NESHAP/VOC REDUCTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Mohamed Serageldin
Phone: 919 541-2379
Fax: 919 541-5689
Email:

serageldin.mohamed@epamail.epa.gov

RIN: 2060-AG54

3353. NESHAP: REFRACTORIES MANUFACTURING

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Susan Zapata
Phone: 919 541-5167

RIN: 2060-AG68

3354. NESHAP: LIME MANUFACTURING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Joseph Wood
Phone: 919 541-5446

RIN: 2060-AG72

3355. INDUSTRIAL COMBUSTION COORDINATED RULEMAKING - ICCR PROJECT

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Agency Contact: Fred Porter
Phone: 919 541-5251

Fax: 919 541-5450

Email: porter.fred@epamail.epa.gov

RIN: 2060-AG84

3356. NESHAP: FRICTION PRODUCTS MANUFACTURING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Susan Zapata
Phone: 919 541-5167

Fax: 919 541-5600

Email: zapata.susan@epamail.epa.gov

RIN: 2060-AG87

3357. NESHAP: SEMICONDUCTOR PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	09/00/00	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: David Beck
Phone: 919 541-5421

Fax: 919 541-0942

RIN: 2060-AG93

EPA—CAA

Long-Term Actions

3358. NESHAP: METAL CAN (SURFACE COATING) INDUSTRY**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Agency Contact:** Gail Lacy

Phone: 919 541-5261

Fax: 919 541-5689

Email: lacy.gail@epamail.epa.gov

RIN: 2060-AG96**3359. NESHAP: METAL COIL (SURFACE COATING) INDUSTRY****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Federal**Agency Contact:** Gail Lacy

Phone: 919 541-5261

Fax: 919 541-5689

Email: lacy.gail@epamail.epa.gov

RIN: 2060-AG97**3360. NESHAP: FABRIC PRINTING, COATING AND DYEING****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Federal**Agency Contact:** Paul Almodovar

Phone: 919 541-0283

Fax: 919 541-5689

Email:

almodovar.paul@epamail.epa.gov

RIN: 2060-AG98**3361. AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING (SURFACE COATING) NESHAP/VOC REDUCTIONS****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 40 CFR 63; 40 CFR 59**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** State, Local, Federal**Agency Contact:** Dave Salman

Phone: 919 541-0859

Fax: 919 541-5689

Email: salman.dave@epamail.epa.gov

RIN: 2060-AG99**3362. NESHAP: PRIMARY MAGNESIUM REFINING****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 40 CFR 60**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Iliam Rosario

Phone: 919 541-5308

Fax: 919 541-5600

Email: rosario.iliam@epamail.epa.gov

RIN: 2060-AH03**3363. NESHAP: SITE REMEDIATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Bob Lucas

Phone: 919 541-0884

Fax: 919 541-0246

RIN: 2060-AH12**3364. NESHAP: SPANDEX PRODUCTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Mary Kissell

Phone: 919 541-4516

Fax: 919 541-0246

RIN: 2060-AH14**3365. NESHAP: LEATHER TANNING AND FINISHING OPERATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/00	

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** William Schrock

Phone: 919 541-5032

Fax: 919 541-3076

RIN: 2060-AH17**3366. NESHAP: VEGETABLE OIL PRODUCTION****Priority:** Substantive, Nonsignificant**CFR Citation:** Not yet determined**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Federal**Agency Contact:** James Durham

Phone: 919 541-5672

Fax: 919 541-0246

RIN: 2060-AH22**3367. NESHAP: ROCKET ENGINE TEST FIRING/ENGINE TEST FACILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63

EPA—CAA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: George F. Smith
Phone: 919 541-1549
Fax: 919 541-5450

RIN: 2060-AH35

3368. NESHAP: ORGANIC LIQUID DISTRIBUTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Stephen Shedd
Phone: 919 541-5397
Fax: 919 541-0246
Email: shedd.steve@epamail.epa.gov

RIN: 2060-AH41

3369. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 65

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22795
Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: Cary Secrest
Phone: 202 564-8661

RIN: 2020-AA31

3370. NSPS: NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR INDUSTRIAL AND COMMERCIAL WASTE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
ANPRM Comment Period End	12/28/94	59 FR 66850
NPRM	11/00/99	
FINAL Rule	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Richard Crume
Phone: 919 541-5294
Fax: 919 541-5450

RIN: 2060-AF91

3371. NSPS: NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR OTHER SOLID WASTE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
ANPRM	12/28/94	59 FR 66850
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: Richard Crume
Phone: 919 541-5294
Fax: 919 541-5450

RIN: 2060-AG31

3372. METAL FURNITURE (SURFACE COATINGS) NESHAP/VOC REDUCTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Mohamed Serageldin
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Fax: 919 541-5689
Email: serageldin.mohamed@epamail.epa.gov

RIN: 2060-AG55

3373. MISCELLANEOUS METAL PARTS AND PRODUCTS (SURFACE COATING) NESHAP/VOC REDUCTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Bruce Moore
Phone: 919 541-5460
Fax: 919 541-5689
Email: moore.bruce@epamail.epa.gov

RIN: 2060-AG56

3374. PLASTIC PARTS (SURFACE COATING) NESHAP/VOC REDUCTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 59; 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Ellen Ducey
Phone: 919 541-5408
Fax: 919 541-5689
Email: ducey.ellen@epamail.epa.gov

RIN: 2060-AG57

3375. PAPER AND OTHER WEB COATING REDUCTIONS NESHAP/VOC RULE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

EPA—CAA

Long-Term Actions

Agency Contact: Daniel Brown
 Phone: 919 541-5305
 Fax: 919 541-5689
 Email: brown.dan@epamail.epa.gov
RIN: 2060-AG58

3376. FLATWOOD PANELING (SURFACE COATING) NESHAP/VOC REDUCTIONS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses
Government Levels Affected: None

Agency Contact: Paul Almodovar
 Phone: 919 541-0283
 Fax: 919 541-5689

RIN: 2060-AH02

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
 Clean Air Act (CAA)**

Completed Actions

3377. TRANSPORTATION CONFORMITY PILOT APPROVAL; CONFORMITY SIP

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 51; 40 CFR 93

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	02/12/98	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Meg Patulski
 Phone: 313 741-7842
 Fax: 313 668-4531
 Email: patulski.meg@epamail.epa.gov
RIN: 2060-AH32

Completed:

Reason	Date	FR Cite
Final Action	10/22/97	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Peter Westlin
 Phone: 919 541-1058

RIN: 2060-AD18

Agency Contact: Kathy Barylski
 Phone: 202 564-9074
 Fax: 202 565-2139
 Email: barylski.kathy@epamail.epa.gov

RIN: 2060-AF45

3382. ACID RAIN PROGRAM: REVISIONS TO THE PERMITS REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT TO MAKE TECHNICAL CORRECTIONS

Priority: Other Significant
CFR Citation: 40 CFR 72

Completed:

Reason	Date	FR Cite
Final Action	10/24/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Agency Contact: Dwight Alpern
 Phone: 202 564-9151
 Fax: 202 565-2141
 Email: alpern.dwight@epamail.epa.gov

RIN: 2060-AF47

3378. NESHAP: CELLULOSE PRODUCTION CATEGORIES

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Withdrawn	02/17/98	

Small Entities Affected: None
Government Levels Affected: State, Local, Federal

Agency Contact: William Schrock
 Phone: 919 541-5032
 Fax: 919 541-3076

RIN: 2060-AH18

Reason	Date	FR Cite
Final Action	10/24/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Agency Contact: Dwight Alpern
 Phone: 202 564-9151
 Fax: 202 565-2141
 Email: alpern.dwight@epamail.epa.gov

RIN: 2060-AF43

3383. CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES; EMISSION STANDARDS AND TEST PROCEDURES

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 87

Completed:

Reason	Date	FR Cite
Final Action - Direct Final Rule	05/08/97	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Bryan Manning
 Phone: 313 741-7832

RIN: 2060-AF50

3379. COMPLIANCE ASSURANCE MONITORING RULE (PREVIOUSLY ENHANCED MONITORING RULE)

Priority: Economically Significant. Major under 5 USC 801.
CFR Citation: 40 CFR 64; 40 CFR 70; 40 CFR 71

3381. ACID RAIN PROGRAM: REVISIONS TO APPLICABILITY, EXEMPTIONS, ALLOCATIONS, AND SMALL DIESEL REFINERIES

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 72; 40 CFR 73

Completed:

Reason	Date	FR Cite
Merged With RIN 2060-AF43	02/25/98	

Small Entities Affected: None
Government Levels Affected: None

EPA—CAA

Completed Actions

3384. AMBIENT AIR QUALITY SURVEILLANCE, RECENSION OF NAMS AMBIENT AIR QUALITY MONITORING REQUIREMENTS FOR LEAD**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 50; 40 CFR 53; 40 CFR 58**Completed:**

Reason	Date	FR Cite
Withdrawn - Merged into 2060-AF71	02/26/98	

Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Agency Contact:** Neil Berg, Jr.

Phone: 919 541-5520

Fax: 919 541-1903

RIN: 2060-AG23**3385. TRANSITIONAL LOCK-IN PROCEDURES FOR PHASE II REFORMULATED GASOLINE (RFG) PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 80.2; 40 CFR 80.70; 40 CFR 80.72**Completed:**

Reason	Date	FR Cite
Final Action	10/20/97	62 FR 54551

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Christine Hawk

Phone: 202 233-9672

Fax: 202 233-9557

RIN: 2060-AG43**3386. RADIONUCLIDE DOSE METHODOLOGY UPDATE****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 141**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action on this rulemaking	02/19/98	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** State, Local, Federal**Agency Contact:** John Karhnaak

Phone: 202 233-9761

Fax: 202 233-9650

Email: karhnaak.john@epamail.epa.gov

RIN: 2060-AG49**3387. REVISION OF PSI (PART 58 APPENDIX G)****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 58**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency plans no further action	02/19/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Terence Fitz-Simons

Phone: 919 541-0889

Fax: 919 541-1903

Email: ftz@tethys.rtpnc.epa.gov

RIN: 2060-AG62**3388. REVISION OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF 16 COMPOUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 51.100 (s)**Completed:**

Reason	Date	FR Cite
Final Action	08/25/97	62 FR 44900

Small Entities Affected: None**Government Levels Affected:** State**Agency Contact:** William L. Johnson

Phone: 919 541-5245

Fax: 919 541-0824

Email:

johnson.williaml@epamail.epa.gov

RIN: 2060-AG70**3389. REVISION OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF CHLOROBROMOMETHANE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 40 CFR 51.100(s)**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency plans no further action	02/17/98	

Small Entities Affected: None**Government Levels Affected:** State**Agency Contact:** Robert Stallings

Phone: 919 541-7649

RIN: 2060-AH39**3390. REGULATION OF FUELS AND FUEL ADDITIVES: PROPOSED MINOR REVISIONS TO SELECTED RECORDKEEPING AND ENFORCEMENT PROVISIONS UNDER THE REGULATION OF DEPOSIT CONTROL GASOLINE ADDITIVES****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 40 CFR 80.170(f)(7)**Completed:**

Reason	Date	FR Cite
Final Action - Direct Final Rule, Amdts. to Detergent Certification Prog.	11/06/97	

Small Entities Affected: Businesses**Government Levels Affected:** None**Agency Contact:** Jeff Herzog

Phone: 313 668-4227

Fax: 313 741-7869

Email: herzog.jeff@epamail.epa.gov

RIN: 2060-AH57**3391. INSPECTION MAINTENANCE PROGRAM REQUIREMENTS; MINOR AMENDMENTS TO THE FINAL RULE****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 51**Completed:**

Reason	Date	FR Cite
Final Action	01/09/98	63 FR 1362

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Tracey Bradish

Phone: 313 668-4239

Fax: 313 668-4497

Email: bradish.tracey@epamail.epa.gov

RIN: 2060-AH61

EPA—CAA

Completed Actions

3392. AMBIENT AIR QUALITY SURVEILLANCE: CHANGES TO ACCOMMODATE REVISED OZONE NAAQS & IMPLEMENTATION STRATEGIES**Priority:** Other Significant**CFR Citation:** 40 CFR 58**Completed:**

Reason	Date	FR Cite
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Withdrawn - The Agency plans no further action on this rulemaking	02/18/98	
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Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Agency Contact:** Lee Ann Byrd

Phone: 919 541-5367

Fax: 919 541-1903

Email: byrd.lee@epamail.epa.gov

RIN: 2060-AH30**3393. NESHAP: PRIMARY ALUMINUM PLANTS****Priority:** Other Significant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
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Final Action	10/07/97	62 FR 52383
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Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Steve Fruh

Phone: 919 541-2837

RIN: 2060-AE76**3394. NESHAP: AEROSOL CAN FILLING FACILITIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
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Withdrawn - The Agency plans no further action on this rulemaking	02/18/98	
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Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Conrad Chin

Phone: 919 541-1512

Fax: 919 541-5600

RIN: 2060-AG32**3395. NESHAP: SECONDARY LEAD SMELTER AMENDMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63 (X)**Completed:**

Reason	Date	FR Cite
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Final Action - Direct Final Rule	06/13/97	
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Small Entities Affected: Businesses**Government Levels Affected:** State**Agency Contact:** Kevin Cavender

Phone: 919 541-2364

Fax: 919 541-5600

Email: cavender.kevin@epamail.epa.gov

RIN: 2060-AH07**3396. FUELS AND FUEL ADDITIVES; ELIMINATION OF OXYGENATED PROGRAM REFORMULATED GASOLINE CATEGORY FROM THE REFORMULATED GASOLINE REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 40 CFR 80**Completed:**

Reason	Date	FR Cite
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Final Action	11/06/97	
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Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Anne-Marie

Pastorkovich

Phone: 202 260-9013

Fax: 202 233-9557

Email: pastorkovich.anne-marie@epamail.epa.gov

RIN: 2060-AH43**3397. VOLUNTARY STANDARDS FOR LIGHT-DUTY VEHICLES (NATIONAL 49 STATE LOW-EMISSION VEHICLES PROGRAM)****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** Not yet determined**Completed:**

Reason	Date	FR Cite
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Final Action	06/06/97	62 FR 31192
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Small Entities Affected: None**Government Levels Affected:** State, Federal**Agency Contact:** Mike Shields

Phone: 202 260-7757

Fax: 202 260-6011

RIN: 2060-AF75**3398. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE: MODIFICATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 40 CFR 80**Completed:**

Reason	Date	FR Cite
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Final Action	12/31/97	62 FR 68196
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Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Karen Smith

Phone: 202 233-9006

Fax: 202 233-9557

RIN: 2060-AG76**3399. OUTER CONTINENTAL SHELF AIR REGULATIONS DELEGATION REMAND****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 55**Completed:**

Reason	Date	FR Cite
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Final Action	09/02/97	62 FR 46406
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Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Agency Contact:** David Stonefield

Phone: 919 541-5350

RIN: 2060-AG39**3400. OUTER CONTINENTAL SHELF AIR REGULATIONS OFFSET REMAND****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 55**Completed:**

Reason	Date	FR Cite
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Final Action	09/02/97	62 FR 46406
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Small Entities Affected: None

EPA—CAA

Completed Actions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: David Stonefield
Phone: 919 541-5350

RIN: 2060-AG40

3401. MVAC RULE AMENDMENT TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

CFR Citation: 42 CFR 82 (B)

Completed:

Reason	Date	FR Cite
Final Action	12/30/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Christine Dibble
Phone: 202 564-9147
Fax: 202 565-2096

RIN: 2060-AF35

3402. INDIAN TRIBES: AIR QUALITY PLANNING AND MANAGEMENT

Priority: Other Significant

CFR Citation: 40 CFR 49

Completed:

Reason	Date	FR Cite
Final Action	02/12/98	63 FR 7254

Small Entities Affected: None

Government Levels Affected: Tribal

Agency Contact: David LaRoche
Phone: 202 260-7652

RIN: 2060-AF79

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Atomic Energy Act (AEA)

3403. DISPOSAL OF LOW-ACTIVITY RADIOACTIVE WASTES

Priority: Other Significant

Legal Authority: Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Waste Policy Act of 1982

CFR Citation: 40 CFR 193

Legal Deadline: None

Abstract: This action is directed to the disposal of low-activity radioactive wastes in disposal facilities that meet the design requirements for RCRA-C disposal cells. The wastes to be disposed of in these cells are intended to be mixed wastes, consisting of a chemically hazardous component and low levels of radioactivity, and other wastes with low-activity radionuclide

contents. These wastes are anticipated to arise in the commercial sector and as a product of operations and clean-up activities in the DOE facilities complex. The rule is intended to increase disposal options for these wastes and offer a streamline regulatory process which melds hazardous chemical protection and radioactivity protection requirements while protecting public health and safety. The rule is "permissive" in the sense that the disposal method proposed is not a mandated disposal method, but rather an alternative to existing disposal methods. The U.S. Nuclear Regulatory Commission is anticipated to be the implementing Agency for the application of this rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 4054

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RIN: 2060-AH63

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Atomic Energy Act (AEA)

3404. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER

Priority: Other Significant

CFR Citation: 41 CFR 351

Timetable:

Action	Date	FR Cite
Notice of Availability	04/00/00	
Notice of Submission to FRPCC for Endorsement	04/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles Blue
Phone: 202 564-9488

RIN: 2060-AF39

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Atomic Energy Act (AEA)

3405. FEDERAL RADIATION PROTECTION GUIDANCE FOR EXPOSURE OF THE GENERAL PUBLIC

Priority: Other Significant

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action on This Rulemaking	02/18/98	

Small Entities Affected: None

Government Levels Affected: Federal

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RIN: 2060-AE61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3406. TOLERANCES FOR PESTICIDE EMERGENCY EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346a

CFR Citation: 40 CFR 176

Legal Deadline:

Final, Statutory, August 3, 1997.

Abstract: This regulation will set out policies and procedures under which EPA will establish food tolerances associated with the use of pesticides under emergency exemptions. Emergency exemptions are issued for temporary use of pesticides in States where emergency conditions exist. Under the Federal Food, Drug and Cosmetic Act, as amended by the Food Quality Protection Act, EPA must establish time-limited tolerances for such pesticides if the use is likely to result in residues in food. EPA expects to describe the procedures to be used, and the criteria for establishing tolerances.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals; 01 Agricultural Production-Crops

Additional Information: SAN No. 3890

Agency Contact: Robert Forrest, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505C, Washington, DC 20460
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RIN: 2070-AD15

3407. THE 10-ACRE LIMITATION FOR PESTICIDE SMALL-SCALE FIELD TESTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136c

CFR Citation: 40 CFR 172

Legal Deadline: None

Abstract: EPA will propose a modification to its pesticide experimental use permit (EUP) regulations that will permit field testing of new pesticides or existing pesticides for new uses on a greater number of acres without an experimental use permit. Currently such testing is limited to 10 acres cumulative total per pesticide under a presumption that this limited testing poses no adverse effects, and therefore does not warrant the Agency's oversight under the EUP program. This action would reduce burdens on pesticide producers who currently must obtain an experimental use permit for greater than 10 acres testing. Little impact would be expected on small businesses, because they rarely engage in pesticide field testing of new chemicals or new uses.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal

Additional Information: SAN No. 3735

Agency Contact: Jim Tompkins, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505C, Washington, DC 20460

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RIN: 2070-AC99

3408. ANTIMICROBIAL PESTICIDE PRODUCTS; OTHER PESTICIDE REGULATORY CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h); 7 USC 136w

CFR Citation: 40 CFR 152; 40 CFR 156

Legal Deadline:

NPRM, Statutory, May 1, 1997.

Abstract: This regulation will specify antimicrobial registration reforms that will reduce to the extent possible the review time for antimicrobial pesticides. The regulation will clarify criteria for completeness of applications, and will specify or refer to a definition of the various classes of antimicrobial pesticide use patterns and the associated data and labeling requirements that would be consistent with the degree and type of risk presented by each class. EPA will evaluate the feasibility and cost-effectiveness of various registration process reforms, including registrant certification, and expansion of the current notification procedures. This regulation will also implement some general provisions of FIFRA pertaining to all pesticides, including labeling requirements and notification procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Rule	04/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3892

Agency Contact: Jean Frane,

Environmental Protection Agency,

EPA—FIFRA

Proposed Rule Stage

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 RIN: 2070-AD14

3409. EXEMPTION OF CERTAIN PESTICIDE SUBSTANCES FROM FIFRA REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: FIFRA 25(b)

CFR Citation: 40 CFR 152.25(g)(1)

Legal Deadline: None

Abstract: This proposed rule would exempt from regulation under section 25(b)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) certain substances when used, sold or distributed as pesticide active ingredients. EPA believes regulation of these substances is not necessary to prevent unreasonable adverse effects on the environment, and these substances are not of a character necessary to be subject to FIFRA in order to carry out its purposes. Substances exempted are pesticides and would continue to be distributed and sold as pesticides after promulgation of a final rule. If exemptions are established, false claims and advertising would still be subject to jurisdiction of the Federal Trade Commission or could result in civil liabilities for the manufacturer and distributor. This proposal, and any subsequent final rule, would not establish or alter exemptions or tolerances for the listed substance under provisions of the Federal Food, Drug and Cosmetic Act.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4026

Agency Contact: Sheryl Reilly, Environmental Protection Agency, Office of Prevention, Pesticides and

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 RIN: 2070-AD21

3410. PESTICIDES; TOLERANCE PROCESSING FEES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 346a

CFR Citation: 40 CFR 180.33

Legal Deadline: None

Abstract: In 1996, the Food Quality Protection Act amended the Federal Food, Drug, and Cosmetic Act to require EPA to charge tolerance fees that, in the aggregate, will cover all costs associated with processing tolerance actions, including filing a tolerance petition, and establishing, modifying, leaving in effect, or revoking a tolerance or tolerance exemption. Since a 1983 cost analysis, factors such as expanded data requirements, changes in risk assessment methods, improvements in data base management and tracking systems, and the increasing complexity of scientific review of petitions have resulted in costs substantially exceeding the fees currently charged. Accordingly, the regulatory effort is to outline how and to what extent the fee structure and fee amounts will be adjusted so that EPA can comply with the law by collecting, in the aggregate, an amount equivalent to the costs of processing tolerance actions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	06/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4027

Agency Contact: Carol Peterson, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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 RIN: 2070-AD23

3411. PESTICIDE REGISTRATION DATA REQUIREMENTS (REVISION) AND ANTIMICROBIAL REGISTRATION DATA REQUIREMENTS (REVISION)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136a

CFR Citation: 40 CFR 158; 40 CFR 158 subpart W

Legal Deadline: None

Abstract: These amendments which will be issued in two separated documents will update the existing data requirements for evaluating the registrability of antimicrobial products and pesticide products other than antimicrobial products. The revisions will clarify all data requirements to reflect current practice. Procedural and explanatory sections of the current regulations will be amended to make them consistent with the revised data requirements and new use indexing.

Timetable:

Action	Date	FR Cite
NPRM 40 CFR 158	07/00/98	
NPRM 40 CFR 158 Subpart W	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 28 Chemicals and Allied Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2687

Agency Contact: Paul Parsons, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460

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RIN: 2070-AC12

3412. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

Priority: Other Significant

Legal Authority: 7 USC 136q FIFRA sec 19; 7 USC 136a FIFRA sec 3; 7 USC 136w FIFRA sec 25

EPA—FIFRA

Proposed Rule Stage

CFR Citation: 40 CFR 165; 40 CFR 156

Legal Deadline:

Final, Statutory, December 24, 1991.

Abstract: The 1988 amendments to FIFRA section 19 significantly expanded and strengthened EPA's authority to regulate the management of pesticides and their containers, including storage, transportation and disposal. As proposed, this rule would establish standards for removal of pesticides from containers and for rinsing containers; facilitate the safe use, refill, reuse, and disposal of pesticide containers by establishing standards for container design, labeling

and refilling; and establish requirements for containment of stationary bulk containers and for containment of pesticide dispensing areas.

Timetable:

Action	Date	FR Cite
NPRM (Container Design & Residue Removal & Bulk Containment)	02/11/94	59 FR 6712
Supplemental NPRM Final Rule	04/00/98 03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2659

Agency Contact: Nancy Fitz, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070-AB95

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3413. PESTICIDE FLAMMABILITY LABELING REQUIREMENTS FOR TOTAL RELEASE FOGGERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136 FIFRA sec 2; 7 USC 136 FIFRA sec 3

CFR Citation: 40 CFR 156.10

Legal Deadline: None

Abstract: This rule would require that pesticide total release foggers be labeled with additional flammability precautionary statements (including a graphic symbol) and more precise use directions. Total release foggers have been implicated in a number of fires and explosions because of their flammable propellants. The labeling of these products has been determined to be inadequate to mitigate this potential hazard.

Timetable:

Action	Date	FR Cite
NPRM Final Rule	04/15/94 04/00/98	59 FR 18058

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3135

Agency Contact: Jim Downing, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070-AC60

3414. WPS; PESTICIDE WORKER PROTECTION STANDARD; GLOVE AMENDMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: Since the issuance of the 1992 WPS and the January 1, 1995 implementation, farmworker groups have expressed an interest in enhancing specific protection measures, while grower groups, the National Association of State Departments of Agriculture and others have expressed an interest in addressing practical, operational concerns. The Agency received various requests and comments in the form of letters, petitions, and individual and public meetings to address the concerns with the WPS. As a result, there may be a need to make further changes of a minor nature to the WPS rule. EPA will take such actions as rules, policy statements or other documents as appropriate, and provide Reg Agenda entries when actions are planned.

Timetable:

Action	Date	FR Cite
NPRM Glove Requirements	09/09/97	62 FR 47544
Final Rule Glove Requirements	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3731

Agency Contact: John R. MacDonald, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070-AC93

3415. EXEMPTION OF CERTAIN INERT INGREDIENTS FROM THE DEFINITION OF PESTICIDE CHEMICAL RESIDUE UNDER FFDC A

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 321(q)(3)

CFR Citation: 40 CFR 180

Legal Deadline:

Other, Statutory, February 20, 1998, Congressional attention - relates to safer pesticide registration.

Abstract: This proposed rule would amend EPA regulations by adding a provision that would exempt from the definition of pesticide chemical residue certain inert ingredients that may be present in or on food as a result of the use of those ingredients in pesticidal food packaging. The

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exemption would apply to inert ingredients that are intended primarily to affect the quality, function, or appearance of the food packaging itself and not primarily to serve a pesticidal purpose. The effect of this rule is to give the Food and Drug Administration (FDA) sole jurisdiction over the residues of such substances in or on food.

Timetable:

Action	Date	FR Cite
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4025

Agency Contact: Robert Torla, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501W, Washington, DC 20460

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RIN: 2070-AD20

3416. REGULATION OF PLANT-PRODUCED PESTICIDES UNDER FIFRA AND FFDCA

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136 et seq; 21 USC 346a et seq

CFR Citation: 40 CFR 152.20; 40 CFR 174

Legal Deadline: None

Abstract: Substances that plants produce to protect themselves against pests and disease are pesticides under FIFRA. The Agency designates these substances, along with the genetic material necessary to produce them, "plant-pesticides." This rulemaking will exempt categories of plant-pesticides from FIFRA and FFDCA regulations. For those plant-pesticides that would be subject to Agency requirements, the Agency will outline a streamlined process by which these pesticides will be regulated and the information that would be needed in the Agency's review.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60496
Supplemental NPRM	05/16/97	62 FR 27132
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2684

Agency Contact: Janet Andersen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501W, Washington, DC 20460

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RIN: 2070-AC02

3417. RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUNDWATER

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a FIFRA sec 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

Abstract: This rule amends the existing Restricted Use Classification (RUC) regulations to add criteria pertaining to pesticides' groundwater contamination potential. Restricted pesticides may only be used by trained and certified applicators. Once promulgated, criteria may serve as the basis for subsequent rulemaking to classify selected pesticides.

Timetable:

Action	Date	FR Cite
NPRM	05/13/91	56 FR 22076
Final Rule	08/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2371

Agency Contact: Joe Hogue, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460

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RIN: 2070-AB60

3418. PESTICIDES AND GROUND WATER STATE MANAGEMENT PLAN REGULATION

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 7 USC 136a; Federal Insecticide, Fungicide, and Rodenticide Act sec 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

Abstract: This regulation would establish Pesticide Management Plans (PMPs) as a new regulatory requirement for certain pesticides. Absent an EPA-approved Plan specifying risk-reduction measures, use of the chemical would be prohibited. The rule would also specify procedures and deadlines for development, approval and modification of plans.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33259
Final Rule	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3222

Effective Date will be 3 years after promulgation.

Agency Contact: Arthur-Jean B. Williams, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460

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RIN: 2070-AC46

3419. PESTICIDE MANAGEMENT AND DISPOSAL

Priority: Other Significant

Legal Authority: 7 USC 136 et seq

CFR Citation: 40 CFR 165

Legal Deadline: None

Abstract: This action develops procedures for mandatory and voluntary recall actions under section 19(b) of FIFRA and would establish criteria for acceptable storage and disposal plans which registrants may submit to this Agency to become eligible for reimbursement of storage

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costs. This action establishes procedures for indemnification of owners of suspended and cancelled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final Rule	08/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3432

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2225A, Washington, DC 20460
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 RIN: 2020-AA33

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3420. PESTICIDE TOLERANCES; PORTION OF FOOD COMMODITIES TO BE ANALYZED FOR PESTICIDE RESIDUES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 180

Timetable:

Action	Date	FR Cite
NPRM	09/29/93	58 FR 50888
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2070-AC45

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RIN: 2070-AC85

3422. FIFRA BOOKS AND RECORDS OF PESTICIDE PRODUCTION AND DISTRIBUTION (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 169

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Rule	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Steve Howie
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RIN: 2020-AA28

3423. WPS; PESTICIDE WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 170

Timetable:

Action	Date	FR Cite
NPRM	08/21/92	57 FR 38167
Final Rule	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2070-AC34

3424. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Priority: Other Significant

CFR Citation: 40 CFR 168

Timetable:

Action	Date	FR Cite
NPRM	03/28/91	56 FR 13042
Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Agency Contact: David Stangel
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RIN: 2020-AA29

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3425. ENDANGERED SPECIES PROTECTION PROGRAM

Priority: Economically Significant.
 Major under 5 USC 801.

Unfunded Mandates: Undetermined

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	02/26/98	

EPA—FIFRA

Completed Actions

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2070-AC42

3426. PESTICIDES; SELF-CERTIFICATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 152

Completed:

Reason	Date	FR Cite
Final Action - Notice of Availability PR-Notice 98-1	01/23/98	63 FR 3565

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

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RIN: 2070-AD00

3427. WPS; PESTICIDE WORKER PROTECTION STANDARD EXCEPTIONS GENERIC

Priority: Routine and Frequent

CFR Citation: 40 CFR 170

Completed:

Reason	Date	FR Cite
Withdrawn - No further action planned	02/19/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

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RIN: 2070-AC95

3428. WPS; PESTICIDES WORKER PROTECTION STANDARDS; SCOPE AND CLARIFICATION OF THE EXCEPTIONS PROCESS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 170

Completed:

Reason	Date	FR Cite
Withdrawn - No further action planned	02/19/98	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2070-AC96

3429. CHILD-RESISTANT PACKAGING REGULATIONS (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 157

Completed:

Reason	Date	FR Cite
Withdrawn - No further action planned	02/19/98	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2070-AB96

3430. PESTICIDE EXPORT POLICY

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 168; 40 CFR 169

Completed:

Reason	Date	FR Cite
Withdrawn	02/19/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kennan Garvey
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RIN: 2070-AD02

3431. FACILITY IDENTIFICATION INITIATIVE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn - Nonregulatory Approach Adopted	02/01/98	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2070-AD01

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Toxic Substances Control Act (TSCA)

3432. LEAD-BASED PAINT ACTIVITIES RULES; TRAINING, ACCREDITATION, AND CERTIFICATION RULE AND MODEL STATE PLAN RULE**Priority:** Economically Significant**Legal Authority:** PL 102-550 sec 402; PL 102-550 sec 404; 15 USC 260 TSCA title IV**CFR Citation:** 40 CFR 745**Legal Deadline:**

Final, Statutory, April 28, 1994.

Abstract: The Residential Lead-based Paint Hazard Reduction Act of 1992 mandates EPA to promulgate regulations governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that contractors engaged in such activities are certified. In addition, EPA must promulgate a Model State program which may be adopted by any State which seeks to administer and enforce a State Program.

Timetable:

Action	Date	FR Cite
NPRM 1 (Residential)	09/02/94	59 FR 45872
Final 1 (Residential)	08/29/96	61 FR 45778
NPRM 2 (Buildings & Structures)	02/00/99	
Final 2 (Buildings & Structures)	04/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3244**Agency Contact:** Ellie Clark, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7404, Washington, DC 20460

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RIN: 2070-AC64**3433. TEST RULE FOR CERTAIN METALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2603 TSCA 4; 15 USC 2611; 15 USC 2625; 42 USC 9604(i) CERCLA**CFR Citation:** 40 CFR 795 to 799**Legal Deadline:** None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of certain metals (beryllium, chromium, manganese, mercury, nickel, and selenium) to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(I).

Under CERCLA, the Agency for Toxic Substances and Disease Registry (ATSDR) is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This action is a component of ATSDR's research program.

Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment.

The metals listed here, including cadmium, are also hazardous air pollutants (HAPs) under the Clean Air Act (CAA) section 112. Data from this action would also be used to implement several provisions of section 112 of the CAA, including determining risks remaining after the application of technology based on standards under section 112(d) of the CAA, estimating the risks associated with accidental releases, and determining whether or not substances should be removed from the CAA section (b)(1) list of HAPs (delisting).

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Additional Information:** SAN No. 3882**Agency Contact:** Robert Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070-AD10**3434. ASBESTOS MODEL ACCREDITATION PLAN REVISIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2646**CFR Citation:** 40 CFR 763**Legal Deadline:**

Final, Statutory, November 28, 1992.

Abstract: The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) amended TSCA to require that EPA revise its asbestos model accreditation plan to extend training and accreditation requirements to include persons performing certain asbestos-related work in public and commercial buildings, to increase the minimum number of training hours required for accreditation purposes and to effect other changes necessary to implement the amendments. The upcoming Notice of Proposed Rulemaking (NPRM) will improve harmony with the Occupational Safety and Health Administration's regulations and provide clarifications.

Timetable:

Action	Date	FR Cite
NPRM	05/13/92	57 FR 20438
Interim Final	02/03/94	59 FR 5236
NPRM	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3148**Agency Contact:** Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and

EPA—TSCA

Proposed Rule Stage

Toxic Substances, 7404, Washington, DC 20460

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RIN: 2070-AC51

3435. ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE; AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605; 15 USC 2607; 15 USC 2647

CFR Citation: 40 CFR 763

Legal Deadline: None

Abstract: EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule in order to improve harmony with the Occupational Safety and Health Administration's regulations and to provide clarifications regarding several definitions, air clearance monitoring techniques, and response actions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3047

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RIN: 2070-AC62

3436. ASBESTOS WORKER PROTECTION RULE; AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2604 TSCA sec 6

CFR Citation: 40 CFR 763

Legal Deadline: None

Abstract: EPA is proposing to amend the Asbestos Abatement Projects, Worker Protection Rule (WPR), by incorporating certain revisions to the Occupational Safety and Health Administration (OSHA) asbestos workplace standards issued since EPA's WPR was promulgated in 1987. The proposal would generally extend the coverage provided under the OSHA Asbestos Standard for Construction to State and local government employees who are not covered by OSHA or EPA-approved State plans. It would also extend coverage provided under OSHA's Asbestos Standard for general industry for brake and clutch repair to such employees, and would clarify that they include prisoners and students employed by the State and/or local government. EPA also proposes to delegate authority to grant or deny State exclusions under the WPR to EPA Regional Administrators and to add compliance and enforcement requirements for State exclusions. In addition, EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule by relocating certain worker protection provisions in the WPR. EPA plans to further update this rule to make it consistent with the most recent OSHA rule.

Timetable:

Action	Date	FR Cite
NPRM (1)	11/01/94	59 FR 54746
NPRM (2)	12/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2249

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RIN: 2070-AC66

3437. TSCA SECTION 8(D) HEALTH AND SAFETY DATA MODEL REPORTING RULE AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2607(d)

CFR Citation: 40 CFR 716

Legal Deadline: None

Abstract: Toxic Substances Control Act (TSCA) Health and Safety Data Reporting burden will be evaluated and amendments proposed to achieve a more appropriate balance between reporting burden and Federal information needs. Specifically, the need for data in assessing risk from exposure to chemicals falling under TSCA purview. Aspects addressed by the NPRM will include: definitions of health and safety studies; scope of data elements to be reported; reporting period length; types of studies not subject to reporting; and electronic submissions of data. Resulting amendments are expected to significantly reduce current reporting burdens and streamline health and safety data reporting requirements for all respondents (including small businesses) and contribute to enhancing access to reported information data.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3834

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RIN: 2070-AD17

EPA—TSCA

Proposed Rule Stage

3438. FEES FOR ACCREDITATION AND CERTIFICATION OF LEAD-BASED PAINT ACTIVITIES; PROCEDURE FOR MODIFICATION OF COMMENCEMENT OF LEAD-BASED PAINT ABATEMENT ACTIVITIES**Priority:** Other Significant**Legal Authority:** PL 102-550; 15 USC 260 TSCA 4**CFR Citation:** 40 CFR 745**Legal Deadline:** None

Abstract: This rule is mandated by section 402(a) of the Toxic Substances Control Act (TSCA) for the purpose of implementing a fee schedule for lead-based paint activities that were addressed in the TSCA section 402 rule, 40 CFR part 745, Lead Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities, which published on August 28, 1996. The fee schedule will establish a framework for States to process applications for training providers of lead-based paint training courses and for certification of workers engaged in lead-based paint activities in the five disciplines delineated in the section 402 rule.

The fee rule in concert with the section 402 rule is intended to ensure that individuals conducting lead-based paint inspections, risk assessments, and abatement in target housing and child-occupied facilities are properly trained and certified and that training programs providing instruction in such activities are accredited. This rule is also intended to ensure that these activities are conducted according to reliable, effective, and safe work practice standards and to provide the availability of a trained and qualified workforce to identify and address lead-based paint hazards. By promoting the establishment of this workforce the Agency will help to ensure that individuals and firms conducting lead-based paint (LBP) activities in target housing and child-occupied facilities will do so in a way that safeguards the environment and protects the health of building occupants, especially children aged six years and younger.

Regarding the anticipated impact on small business, section 402(a) does not require or mandate the abatement of lead-based paint, nor require that any particular enterprise participate in the lead-based paint field. However, if firms choose to participate, compliance costs consist of two components that

may impact small businesses: (1) accreditation and training costs for workers and supervisors, as well as certification fees that this rule will establish and (2) incremental costs of work practice standards for abatement procedures. Abstract continued--see additional information.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.**Additional Information:** SAN No. 3881

EPA is also proposing a procedure for notification to the Agency of the commencement of LBP activities in residential dwellings or child-occupied facilities or as a result of Federal, State, or local order. In section 745.227(e)(4) of the final rule for LBP Activities, EPA stated that the procedure for this notification would be developed prior to August 31, 1998.

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RIN: 2070-AD11**3439. TSCA INVENTORY UPDATE RULE AMENDMENTS****Priority:** Other Significant**Legal Authority:** 15 USC 2607(a)**CFR Citation:** 40 CFR 710**Legal Deadline:** None

Abstract: This action would amend the current Toxic Substances Control Act (TSCA) Inventory Update Rule (IUR) to require chemical manufacturers to report to EPA data on exposures and the industrial and consumer end uses of chemicals they produce. Currently, EPA requires chemical manufacturers

to report the names of the chemicals they produce, as well as the locations of manufacturing facilities and the quantities produced. About 3,000 facilities reported data on about 9,000 unique chemicals during the last reporting cycle under the IUR. Data obtained would be used by EPA and others to: better understand the potential for chemical exposures and then screen the chemicals now in commerce and identify those of highest concern; establish priorities and goals for their chemical assessment, risk management and prevention programs and monitor their progress; encourage pollution prevention by identifying potentially safer substitute chemicals for uses of potential concern; and enhance the effectiveness of chemical risk communication efforts. EPA has held meetings with representatives of the chemical industry, environmental groups, environmental justice leaders, labor groups, State governments and other Federal agencies to insure public involvement in the TSCA Inventory Update Rule Amendments Project.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 3301**Agency Contact:** Susan Krueger, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7406, Washington, DC 20460

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RIN: 2070-AC61**3440. LEAD HAZARD STANDARDS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 15 USC 2683 TSCA 403**CFR Citation:** 40 CFR 745**Legal Deadline:**

Final, Statutory, April 28, 1994.

Abstract: The Residential Lead-Based Paint Hazard Reduction Act of 1992 requires EPA to promulgate regulations which identify lead-based paint hazards, lead-contaminated soil, and lead-contaminated dust. EPA is to identify the paint conditions and lead levels in dust and soil that would result

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Proposed Rule Stage

in adverse human health effects. On July 14, 1994, EPA issued guidance on this topic to provide information while a proposal is being developed.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	12/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3243

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RIN: 2070-AC63

3441. LEAD; TSCA REQUIREMENTS FOR THE DISPOSAL OF LEAD-BASED PAINT DEBRIS

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 2601 to 2671; 42 USC 6901 to 6992

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: Currently, waste derived from lead-based paint (LBP) abatements is managed under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. Other Federal agencies (Department of Housing and Urban Development, Department of Health and Human Services) and several States and advocacy groups have expressed concern that the costs associated with the disposal of large volume architectural components (e.g., doors and windows) may interfere with abatement activities. EPA's Office of Prevention, Pesticides and Toxic Substances and the Office of Solid Waste have initiated a joint rulemaking to address the disposal of these architectural components. This rulemaking would develop disposal standards for these components under the Toxic Substances Control Act (TSCA) title IV, (the definition of abatement under TSCA title IV, section 401(1)(B), includes disposal). The TSCA regulations would establish appropriate disposal standards for LBP architectural components and identify

recycling and incineration activities that would be controlled or prohibited.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Rule	12/00/99	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3508

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RIN: 2070-AC72

3442. LEAD; SELECTED RULEMAKINGS FOR ABATING LEAD HAZARDS

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 2683; PL 102-550

CFR Citation: 40 CFR 745

Legal Deadline:

Final, Statutory, April 15, 1994, (Sections 402(a) - 403 - 404). Other, Statutory, October 28, 1994, See additional information.

Abstract: The Residential Lead-Based Hazard Reduction Act of 1992 requires EPA to promulgate a number of regulations intended to address lead poisoning in the U.S. EPA is to promulgate regulations to (a) identify the paint conditions and lead levels in dust and soil that would result in adverse human health effects (section 403) (on July 14, 1994, EPA issued guidance to provide preliminary information while a proposal is being developed); (b) promulgate regulations (section 402(a)) governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that contractors engaged in such activities are certified (in addition, EPA must promulgate a Model State program (section 404) which may be adopted by

any State which seeks to administer and enforce a State Program); (c) promulgate regulations (section 406) requiring renovators to provide a lead hazard information brochure (developed separately by EPA) to clients before beginning work; (d) promulgate, with HUD, regulations (section 1018) that require the following before the sale or lease of pre-1978 housing: disclosure of lead-based paint hazards, provisions of a lead-paint information brochure to the prospective buyer or renter, and for buyers, and the opportunity to conduct a lead risk assessment or inspection; and (e) promulgate regulations (section 402(c)(3)) addressing lead risks from renovation and remodeling activities or state why no regulation is necessary.

Timetable:

Action	Date	FR Cite
NPRM Section 406(b)	03/02/94	59 FR 11108
NPRM Sections 402(a) and 404 (Residential)	09/02/94	59 FR 45872
NPRM section 1018	11/02/94	59 FR 54984
Final Rule Section 1018	03/06/96	61 FR 9064
Final Rule Sections 402(a) and 404 (Residential)	08/29/96	61 FR 45778
NPRM Section 402(a) (Debris)	06/00/98	
Final Rule Section 406(b)	06/00/98	
NPRM Section 403	08/00/98	
NPRM Sections 402(a)(3)/404(h)	08/00/98	
NPRM Section 402(a) (Buildings & Structures)	02/00/99	
NPRM Section 402(c) (Remodeling & Renovation)	05/00/99	
Final Rule Section 402(a) (Debris)	12/00/99	
Final Rule Section 403	12/00/99	
Final Rule Sections 402(a)(3)/404(h)	02/00/00	
Final Rule Section 402(a) (Buildings & Structures)	04/00/00	
Final Rule Section 402(c) (Remodeling & Renovation)	06/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3243 Lead Hazard Standards (section 403)(RIN 2070-AC63). SAN 3244 -

EPA—TSCA

Proposed Rule Stage

Lead-Based Paint Activities Rules: Training, Accreditation and Certification Rule and Model State Plan Rule (sections 402 and 404) (RIN: 2070-AC64). SAN 3242 - Lead-Based Paint Disclosure Requirements at Renovation of Target Housing (section 406)(RIN: 2070-AC65). SAN 3499 - Lead-Based Paint Hazard Information Requirements at the Transfer of Target Housing: Joint with HUD (section 1018)(RIN: 2070-AC75) Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling (Section 402(c)(3))(RIN: 2070-AC83).

Legal Deadlines: Final: Statutory; April 28, 1994 (sections 403; 402; 404), Final: Statutory; October 28, 1994 (sections 406(b); 1018), Final: Statutory; October 28, 1996 (section 402(c)), Final: Statutory; August 30, 1998 (sections 404(h), 402(a)(3)). Additional Legal deadline information: Fin. Stat. (sec. 1018; 406(b)); Fin. Stat.; 10/28/96 (sec. 402(c)); Fin. Stat.; 08/30/98 (sec. 404(h); 402(a)(3))

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RIN: 2070-AD06

3443. OECD SIDS HIGH PRODUCTION VOLUME CHEMICAL SCREENING TEST RULE

Priority: Info./Admin./Other

Legal Authority: 15 USC 2603

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: A multi-chemical test rule requires the testing of many chemicals for certain effects. This type of rule is a more efficient alternative to rules that require testing only one chemical. EPA is proposing screening-level testing on a group of chemicals as part of an international program that is also an essential part of EPA's own chemical assessment activities.

Since 1990 member countries of the Organization for Economic Cooperation and Development (OECD) have aimed to collect a standard minimum set of data for chemicals having the highest worldwide production. The basic level of testing and other information devised by the OECD is called the

Screening Information Data Set, or SIDS. OECD and EPA use the data to screen these high-production-volume (HPV) chemicals for their potential risks to man and the environment.

The SIDS program benefits EPA because it directs resources toward the chemicals of greatest potential risk; improves environmental protection and human health as existing chemicals are investigated more effectively; reduces overall costs of testing as a result of increased international cooperation; and provides greater flexibility for EPA and the private sector because of the voluntary aspect of the program.

EPA earlier relied on the voluntary efforts of US industry to meet its commitments to the SIDS program. More recently, fewer US parties have come forward to sponsor SIDS chemicals. EPA has decided to use test rules where necessary to acquire the limited toxicity and environmental fate data needed to meet its OECD SIDS obligations. Therefore, for a given round of chemical selection for SIDS, EPA will identify a set of chemicals for US sponsorship. For chemicals having no industry sponsor to perform testing and other voluntary SIDS activities, EPA will obtain testing by rule and use its own resources to carry out related information-gathering and review activities.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 28 Chemicals and Allied Products; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 3990

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RIN: 2070-AD16

3444. PROPOSED DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA sec 4

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: EPA is proposing to require testing, or will obtain testing through negotiated enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so. These chemicals have been designated for priority testing consideration by the ITC, recommended for testing consideration (for which the 12-month statutory requirement does not apply), or they have been identified for testing consideration by other EPA program offices and through EPA review processes.

Timetable:

Action	Date	FR Cite
NPRM IRIS II Chemicals (ITC List 28)	06/00/98	
NPRM OSHA Chemicals with Insuf. Skin Absorption Data (ITC List 32)	06/00/98	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 31)	06/00/98	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 35)	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3494

NPRM must be published within one year of ITC designation.

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RIN: 2070-AB07

3445. NEGOTIATED CONSENT ORDER AND TEST RULE PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2603 TSCA sec 4

CFR Citation: 40 CFR 790

EPA—TSCA

Proposed Rule Stage

Legal Deadline: None

Abstract: This action will amend the testing consent order and test rule development process to increase efficiency. The consent order process was adopted by the Agency in June 1986. Based on experience to date, the Agency needs to make changes in the process to reduce the resources required for consent order negotiation. This rule would propose appropriate procedural changes. Obsolete provisions will be eliminated for test rule development activities.

Timetable:

Action	Date	FR Cite
Interim Final	05/17/85	50 FR 20652
Interim Final	06/30/86	51 FR 23706
Interim Final (Technical Modification)	09/01/89	54 FR 36311
NPRM	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2245

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RIN: 2070-AB30

3446. ATSDR SUBSTANCES TEST RULE

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA 4; 42 USC 9604(i) CERCLA 104(i); 15 USC 2611

CFR Citation: 40 CFR 795 to 799

Legal Deadline: None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of eight chemicals (benzene, chloroethane, methylene chloride, perchloroethylene, hydrogen cyanide, sodium cyanide, toluene, and trichloroethylene) to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(i).

Under CERCLA, the Agency for Toxic Substances and Disease Registry (ATSDR) is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This action is a component of ATSDR's research program.

Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2563

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RIN: 2070-AB79

3447. MULTICHEMICAL ENDPOINT(S) TEST RULE; DEVELOPMENTAL AND REPRODUCTIVE TOXICITY

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4

CFR Citation: 40 CFR 799.5050

Legal Deadline: None

Abstract: A multi-chemical endpoint test rule will require the testing of many chemicals for a specific effect or endpoint, e.g., developmental toxicity. This type of rule is an alternative to single chemical rules which require testing of one chemical for many effects. The multi-chemical endpoint

rule approach will obtain a significant amount of testing while conserving Agency resources. The multi-chemical rule for developmental and reproductive toxicity testing will require testing of seven chemicals for developmental and/or reproductive effects. This rule may be amended in the future to require the same testing for other chemicals. Also, future multi-chemical rules will require testing of additional endpoints and chemicals. The testing requirements for each chemical in a multi-chemical rule will be listed in a single table by chemical under section 799.5050. This table will be amended with each publication of a new multi-chemical rule.

Timetable:

Action	Date	FR Cite
NPRM	03/04/91	56 FR 9092
Reproposal	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2865

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RIN: 2070-AC27

3448. FOLLOW-UP RULES ON EXISTING CHEMICALS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2604 TSCA 5; 15 USC 2607 TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA has established a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support planned or ongoing risk assessments on such chemicals. As these chemicals are identified, EPA will initiate rulemakings under the Toxic Substances Control Act (TSCA) sections 5 and/or 8 to require reporting of appropriate needed information by the manufacturers, importers and/or processors of these chemicals. Individual proposed or final rules will be published on at least the chemicals listed below.

EPA—TSCA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM 2,4-Pentanedione SNUR	09/27/89	54 FR 39548
NPRM Chloranil	05/12/93	58 FR 27980
NPRM Benzidine-Based Chemical Substances	08/30/95	60 FR 45119
Final Rule Benzidine-Based Chemical Substances	10/07/96	61 FR 52287
Final Rule Final Chloranil SNUR	04/00/98	
NPRM Certain Chemical Substances No Longer in Production SNUR	06/00/98	
NPRM Methylcyclopentane SNUR	06/00/98	
NPRM P-Aminophenol & Bromochloromethane 8(a) Chemical Specific Rule	06/00/98	
NPRM Amendment to Benzidine-Based Chemical Substances SNUR	09/00/98	
NPRM Heavy Metal-Based Pigments in Aerosol Spray Paints SNUR	09/00/98	
NPRM 2,4-Pentanedione SNUR (Reproposal)	09/00/98	
NPRM O-Tolidine & O-Dianisidine-Based Dyes (Benzidine Congener Dyes)	12/00/98	
Final Rule Amendment to Benzidine-Based Chemical Substances SNUR	12/00/98	
NPRM	02/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1923

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RIN: 2070-AA58

3449. TSCA BIOTECHNOLOGY FOLLOW-UP RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2604; TSCA 5(a)

CFR Citation: 40 CFR 720; 40 CFR 725 (Revision)

Legal Deadline: None

Abstract: As a follow-up to the final Biotechnology rule under the Toxic Substances Control Act (TSCA), EPA plans to address the following possible revisions: 1) Intergeneric Scope of Oversight: OPPT currently defines new microorganisms which are subject to reporting under TSCA section 5 as those resulting from the deliberate combination of genetic material originally isolated from microorganisms classified in different taxonomic genera. Such microorganisms are referred to as intergeneric microorganisms. EPA indicated in its 1994 proposed biotechnology regulations that it may reconsider its interpretation of "new" microorganism in a later rulemaking, based on the more current state of scientific knowledge about the manner in which genetic material is exchanged among microorganisms in the environment. 2) Low Risk Alternative: In the 1994 proposed biotechnology rule, EPA solicited comment on an alternative approach to oversight of research and development activities conducted in the environment. Under this alternative, a researcher could certify that a microorganism intended to be used in an environmental field trial met certain low risk criteria. This alternative contained requirements for documentation and recordkeeping by a Technically Qualified Individual and certification by an authorized official. OPPT now plans to provide an opportunity to comment on new information which OPPT believes may support such an exemption. 3) Inventory Delisting Rule: In 1978, when EPA compiled its initial TSCA Inventory, 192 microorganisms were reported and are currently listed on the Inventory. EPA believes that most, if not all, of the 192 microorganisms would not be considered new under the new rule, since the listing appears to

describe microorganisms which are not intergeneric. In the 1994 proposed rule, EPA provided an opportunity for manufacturers and importers of any of the 192 microorganisms to inform EPA whether any of the microorganisms were intergeneric. EPA received no information during the public comment period concerning any of the 192 microorganisms. Accordingly, as stated in the proposed rule, EPA will publish a rule removing the 192 microorganisms from the TSCA Inventory, on the grounds that the microorganisms are not new and are consequently considered to be implicitly included on the Inventory without the need for an explicit listing. 4) Recent information indicates that transgenic plants are being developed to address whether EPA should exercise jurisdiction under TSCA over such plants prior to their commercial use.

Timetable:

Action	Date	FR Cite
NPRM (1) Intergeneric Scope of Oversight	12/00/98	
NPRM (3) Inventory Delisting Rule	12/00/98	
Policy Statement (4) TSCA Plants Policy	12/00/98	
Final (1) Intergeneric Scope of Oversight	12/00/99	
NPRM (2) Low Risk Alternative	12/00/99	
Final (2) Low Risk Alternative	12/00/00	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Sectors Affected: 147 Chemical and Fertilizer Mineral Mining; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products; 289 Miscellaneous Chemical Products

Additional Information: SAN No. 3894

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RIN: 2070-AD13

EPA—TSCA

Proposed Rule Stage

3450. LEAD-BASED PAINT ACTIVITIES, TRAINING, AND CERTIFICATION: RENOVATION AND REMODELING

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 102-550 sec 402(c)(3)

CFR Citation: 40 CFR 745

Legal Deadline:

Final, Statutory, October 1996.

Abstract: Under section 402(c)(2) of TSCA title IV, EPA is currently conducting a study of the extent to which persons engaged in renovation and remodeling activities in target housing are exposed to lead in the conduct of such activities or disturb lead and create a lead-based paint

hazard. EPA must use the results of this study and consult with interested parties to determine which categories of renovation and remodeling activities require training and certification. EPA must then revise the training and certification regulations originally developed for individuals performing lead-based paint abatement under section 402(c)(a) of TSCA title IV to apply them to the renovation and remodeling categories. If EPA determines that any category does not require certification, EPA must publish an explanation of the basis for that determination.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	
Final Rule	06/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3557

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RIN: 2070-AC83

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Toxic Substances Control Act (TSCA)

3451. FINAL DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 260 TSCA sec 4

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: EPA is requiring testing via rules, or will obtain testing through enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so for chemicals listed herein. These chemicals have been designated for priority testing consideration by the ITC or recommended for testing consideration (for which the 12-month statutory requirement does not apply). The list also includes chemicals or categories of chemicals which have been identified for testing consideration by other Federal or other EPA offices through EPA review processes.

Timetable:

Action	Date	FR Cite
ANPRM Aryl Phosphates (ITC List 2)	12/29/83	48 FR 57452
NPRM Hexamethylene Diisocyanate (ITC List 22)	05/17/89	54 FR 21240
NPRM Brominated Flame Retardants	06/25/91	56 FR 29140

Action	Date	FR Cite
NPRM Aryl Phosphates (ITC List 2)	01/17/92	57 FR 2138
Final Hexamethylene Diisocyanate (ITC List 22)	09/30/97	62 FR 51107
Final (ECA) Aryl Phosphates (ITC List 2)	04/00/98	
Final (ECA) DiBasic Esters (CPSC)	04/00/98	
Final Rule IRIS II Chemicals (ITC List 28)	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3493

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RIN: 2070-AB94

3452. HAZARDOUS AIR POLLUTANTS TEST RULE

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4; 42 USC 7412 CAA 112; 42 USC 7403 CAA 103

CFR Citation: 40 CFR 789 to 795

Legal Deadline: None

Abstract: EPA is proposing health effects testing under TSCA section 4 in support of programs and activities required under section 112 of the Clean Air Act (CAA), governing Hazardous Air Pollutants (HAPs). Section 112 of the CAA directs EPA to determine the risk to health and the environment remaining after application of a technology-based standard to major and area sources. Section 112 also sets forth a mechanism for revising and modifying the statutory list of 189 HAPs under section 112(b), and requirements for an accidental release control program. These data will also be important for the right-to-know program given the large release of these chemicals to the atmosphere. In order to implement these and other programs and requirements under section 112, EPA must identify the health and environment effects of potential concern from exposure to HAPs, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs. In addition, under section 103(d), EPA is required to conduct a research program on the short- and long-term effects of air pollutants on human health, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs.

EPA—TSCA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33178
Supplemental NPRM	12/24/97	62 FR 67466
Final Rule	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3487

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RIN: 2070-AC76

3453. PCBS - POLYCHLORINATED BIPHENYLS (PCBS) TRANSFORMER RECLASSIFICATION RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: This rule would relax the regulatory requirements for reclassifying PCB transformers to a lower regulatory status by modifying the current reclassification requirements of 50 degree centigrade temperature and 90-day testing. Results of a preliminary analysis indicate that many transformers never reach the required temperature, but still reduce PCB concentrations and that safety risks to employees and to the general public occur in mandating the continued adherence to the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/18/93	58 FR 60970
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3021

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RIN: 2070-AC39

3454. PCB - POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605(e) TSCA sec 6(e);

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: This rulemaking will make over 90 modifications, additions, and deletions to the existing PCB management program under the Toxic Substances Control Act (TSCA). A notice of proposed rulemaking was published on December 6, 1994, and covered the manufacture (including import) processing, distribution in commerce, export use, disposal, and marking of PCBs.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/91	56 FR 26738
NPRM	12/06/94	59 FR 62788
Final Rule	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2878

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RIN: 2070-AD04

3455. USE OF ACRYLAMIDE FOR GROUTING

Priority: Other Significant

Legal Authority: 15 USC 2605; TSCA sec 8

CFR Citation: 40 CFR 764

Legal Deadline: None

Abstract: On October 2, 1991, EPA proposed a regulation of acrylamide and NMA grouts based on the unreasonable risk associated with their usage. EPA's rule would prohibit the manufacture, distribution in commerce, and use of acrylamide grout. In February 1996, EPA reopened the record for 30 days to take additional comments, specifically to seek data on the durability of acrylamide and NMA grouts. The Agency has reviewed the comments and expects to promulgate the final rule in Spring 1998.

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Final Rule	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2779

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RIN: 2070-AC17

3456. LEAD-BASED PAINT DISCLOSURE REQUIREMENTS AT RENOVATION OF TARGET HOUSING

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-550 sec 406

CFR Citation: 40 CFR 745; 24 CFR 35

Legal Deadline:

Final, Statutory, October 28, 1994.

Abstract: Section 406 of the Residential Lead-based Paint Hazard Reduction Act of 1992 requires EPA to develop two products: (1) a lead hazard information pamphlet, to be developed in consultation with HUD and CDC; and (2) an EPA regulation requiring renovators to provide the information pamphlet to clients before beginning work.

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 11108
Final Action	06/00/98	

EPA—TSCA

Final Rule Stage

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3242

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RIN: 2070-AC65

3457. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICAL SUBSTANCES

Priority: Routine and Frequent

Legal Authority: 15 USC 2604 Toxic Substances Control Act sec 5

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA regulates the commercial development of new chemicals that have completed premanufacture notice (PMN) review, where activities described in the PMN did not present an unreasonable risk but uncontrolled manufacture, import, processing, distribution, use, or disposal outside the activities described in the PMN may present an unreasonable risk. EPA will issue Significant New Use Rules (SNURs) requiring 90-day notification to EPA from any manufacturer, importer, or processor who would engage in activities that are designated as significant new uses. Under the Expedited Follow-up Rule (EFUR) which became effective on October 12, 1989, EPA will identify such new chemicals and publish them in a batch SNUR 3-4 times per year. Chemicals that were subject to a proposed SNUR before the effective date of the EFUR or do not qualify under the EFUR, may be regulated individually by notice and comment rulemaking and are listed below.

Timetable:

Action	Date	FR Cite
NPRM Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	06/11/86	51 FR 21199
NPRM 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	12/08/87	52 FR 46496

Action	Date	FR Cite
NPRM Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)	02/02/88	53 FR 2857
NPRM Aluminum Cross-linked Sodium Carboxymethylcellulose	06/11/93	58 FR 32628
NPRM Certain Chemical Substances (95-1584, 96-1674/75, and 97-267)	08/13/97	62 FR 43297
Final Rule Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	04/00/98	
Final Rule Aluminum Cross-linked Sodium Carboxymethylcellulose	04/00/98	
Final Rule Certain Chemical Substances (95-1584, 96-1674/75, and 97-267)	04/00/98	
Final Rule Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)	04/00/98	
Final Rule 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1976

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RIN: 2070-AA59

3458. CHEMICAL-SPECIFIC SIGNIFICANT NEW USE RULES (SNURS) TO EXTEND PROVISIONS OF SECTION 5(E) ORDERS

Priority: Routine and Frequent

Legal Authority: 15 USC 2604 TSCA sec 5

CFR Citation: 40 CFR 721

Legal Deadline: None

Abstract: When the Agency determines that uncontrolled manufacture, import, processing, distribution, use or disposal of a premanufacture notification notice

(PMN) substance may present an unreasonable risk, it may issue a section 5(e) consent order to limit these activities. However, such orders apply only to the PMN submitter. Once the new substance is entered on the Toxic Substances Control Act (TSCA) chemical inventory, others can manufacture, import or process the substance without controls. Therefore, EPA extends the controls to apply to others by designating manufacture, import or processing of the substances for uses without the specified controls as significant new uses. Under the Expedited Follow-Up Rule, which became effective on October 10, 1989 (54 FR 31314), EPA routinely publishes batch SNURs containing routine section 5(e) and non-5(e) SNURs. However, certain activities, such as modifications, withdrawals, revocations, and SNURs upon which comments are received in the direct final publication process, are subject to notice and comment rulemaking and are listed below.

Timetable:

Action	Date	FR Cite
NPRM Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	05/27/93	58 FR 30744
NPRM Aromatic Amino Ether (P90-1840)	06/06/94	59 FR 29255
NPRM Alkenyl Ether of Alkanetriol Polymer (93-458)	12/19/94	59 FR 65289
NPRM Polyalkylene Polyamine (89-963)	12/19/94	59 FR 65248
NPRM Organotin Lithium Compound (93-1119)	06/07/95	60 FR 30050
NPRM Certain Chemical Substances (91-1299/95-1667, 91-1298, 91-1297/	06/26/97	62 FR 34421
Final Polyalkylene Polyamine (89-963)	12/09/97	62 FR 64738
Final Rule Organotin Lithium Compound (93-1119)	04/00/98	
Final Rule Alkenyl Ether of Alkanetriol Polymer (93-458)	06/00/98	
Final Rule Aromatic Amino Ether (P90-1840)	06/00/98	
Final Rule Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	06/00/98	

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Action	Date	FR Cite
Final Rule Certain Chemical Substances (91-1299/95-1667, 91-1298, 91-1297/	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3495

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RIN: 2070-AB27

3459. TSCA SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(a) TSCA sec 8(a)

CFR Citation: 40 CFR 712

Legal Deadline: None

Abstract: These rules add chemicals to the list of chemicals and designated mixtures subject to the requirements of the Toxic Substances Control Act section 8(a) Preliminary Assessment Information Rule (40 CFR part 712). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee. Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. These data will also support risk assessment and test rule decisions.

Timetable:

Action	Date	FR Cite
Final Rule 37th ITC List	02/28/96	61 FR 7421
Final Rule 38th ITC List	10/29/96	61 FR 55871
Final Rule 38th ITC List - Stay	12/11/96	61 FR 65186

Action	Date	FR Cite
Final Rule 38th ITC List - Stay/Technical Amendments	01/07/98	63 FR 684
Final Rule 38th ITC List - Revocation	04/00/98	
Final Rule 39th ITC List	04/00/98	
Final Rule 41st ITC List	04/00/98	
Final Rule 42nd ITC List	09/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2178

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RIN: 2070-AB08

3460. TSCA SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(d)

CFR Citation: 40 CFR 716

Legal Deadline: None

Abstract: These rules require manufacturers, importers and processors to submit unpublished health and safety data on chemicals added to the requirements of the Toxic Substances Control Act section 8(d) Health and Safety Data Reporting Rule (40 CFR part 716). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee.

Timetable:

Action	Date	FR Cite
Final 35th ITC List	07/05/95	60 FR 34879
Final 37th ITC List	02/28/96	61 FR 7421
Final 38th ITC List	10/29/96	61 FR 55871
Final 38th ITC List - Stay	12/11/96	61 FR 65186
Final 38th ITC List - Stay/Technical Amendment	01/07/98	63 FR 684
Final Rule 38th ITC List - Revocation	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1139

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RIN: 2070-AB11

3461. TSCA SECTION 8(E); NOTICE OF CLARIFICATION AND SOLICITATION OF PUBLIC COMMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2607(e)

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The TSCA section 8(e) Notice of Clarification and Solicitation of Public Comment would amend certain aspects of the 1978 TSCA section 8(e) Statement of Interpretation and Enforcement Policy (1978 Policy Statement). The 1978 Policy Statement describes the types of information that EPA considers reportable under section 8(e), the substantial risk reporting provision of TSCA, and describes the procedures for reporting such information to EPA. This clarification effort derives from a review of the existing section 8(e) guidance done in the context of questions raised by companies considering participating in the section 8(e) Compliance Audit Program (CAP). As a result of this review, EPA determined that parts of the 1978 Policy Statement concerning the reportability of information on widespread and previously unsuspected distribution in environmental media and emergency incidents of environmental contamination needed some refinement. The subject Federal Register action solicited comment on refined reporting guidance concerning widespread and previously unsuspected distribution in environmental media and provides additional circumstances where information is not reportable because it is considered known to the Administrator. Finally, the notice solicited comments on changes to the section 8(e) reporting deadline and

EPA—TSCA

Final Rule Stage

reaffirmed the standards for claims of confidentiality for information contained in a notice of substantial risk under section 8(e).

Timetable:

Action	Date	FR Cite
NPRM	07/13/93	58 FR 37735
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3118

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RIN: 2070-AC80

3462. NOTICE OF TSCA SECTION 4 REIMBURSEMENT PERIOD AND TSCA SECTION 12(B) EXPORT NOTIFICATION PERIOD SUNSET DATES FOR TSCA SECTION 4 SUBSTANCES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2603 TSCA sec 4; 15 USC 2611 TSCA sec 12

CFR Citation: 40 CFR 707; 40 CFR 790; 40 CFR 791; 40 CFR 799

Legal Deadline: None

Abstract: EPA is developing a list of substances that are or have been subject to TSCA section 4 testing actions which required testing under rules or Enforceable Consent Orders. EPA will identify sunset, or termination dates that will identify: (1) The end of

section 4 reporting requirements (40 CFR 790) (2) The end of the reimbursement period under which persons subject to test rules are subject to an obligation to reimburse test sponsors (40 CFR 791) (3) The end of the period during which export notification requirements under TSCA section 12(b) are triggered.

Timetable:

Action	Date	FR Cite
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3559

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RIN: 2070-AC84

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Toxic Substances Control Act (TSCA)

3463. REGULATORY INVESTIGATION OF FORMALDEHYDE

Priority: Info./Admin./Other

CFR Citation: 40 CFR 765

Timetable:

Action	Date	FR Cite
Section 9(d) Notice Termination for Apparel Workers	03/19/84	49 FR 21870
NPRM	05/23/84	49 FR 21870
Peer Review Notice Indoor Air Exposure Pilot Study	08/08/96	61 FR 41411
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2070-AB14

3464. REGULATORY INVESTIGATION OF DIOXIN IN PULP AND PAPER MILL SLUDGE

Priority: Other Significant

CFR Citation: 40 CFR 744

Timetable:

Action	Date	FR Cite
NPRM	05/10/91	56 FR 21802
Response letter to EDF & NWF	12/14/92	
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2070-AC05

3465. SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS; REFRACTORY CERAMIC FIBERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 704; 40 CFR 721

Timetable:

Action	Date	FR Cite
NPRM Refractory Ceramic Fiber	03/21/94	59 FR 13294
Final Rule Refractory Ceramic Fiber	09/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2070-AC37

3466. DEVELOPMENT OF GUIDANCE AS MANDATED BY EXECUTIVE ORDER 12873, SECTION 503 ON ENVIRONMENTALLY PREFERABLE PRODUCTS

Priority: Other Significant

CFR Citation: None

Timetable:

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50722
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

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EPA—TSCA

Long-Term Actions

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RIN: 2070-AC78

3467. PCBS; POLYCHLORINATED BIPHENYLS; EXEMPTIONS FROM THE PROHIBITIONS AGAINST MANUFACTURING, PROCESSING, AND DISTRIBUTION IN COMMERCE

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 761

Timetable:

Action	Date	FR Cite
NPRM (1) Group I	12/06/94	59 FR 62875
Final Rule Group I	06/00/99	
NPRM (2) Group II	06/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2070-AB20

3468. LEAD; REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE

Priority: Other Significant

CFR Citation: 40 CFR 721; 40 CFR 750; 40 CFR 745

Timetable:

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096
NPRM Proposed Ban of Fishing Sinkers	03/09/94	59 FR 11122
Final Rule Fishing Sinkers	12/00/99	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2070-AC21

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Toxic Substances Control Act (TSCA)

3469. PCBS; PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL PERMITS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 761

Completed:

Reason	Date	FR Cite
Withdrawn - No further action planned.	02/20/98	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2070-AB81

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Emergency Planning and Community Right-to-Know Act (EPCRA)

3470. TRI; REPORTING THRESHOLD AMENDMENT; TOXIC CHEMICALS RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Economically Significant.
Major status under 5 USC 801 is undetermined.

Legal Authority: PL 99-499

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The Toxics Release Inventory (TRI) currently requires reporting from facilities which manufacture or process at least 25,000 pounds of a listed chemical, or otherwise use 10,000 lbs of a listed chemical. These thresholds were initially established under the Emergency Planning and Community Right-to-know Act (EPCRA) section 313(f)(1). Section 313(f)(2) of EPCRA gives the Administrator the power to establish a threshold amount for a toxic chemical different from the amount established by paragraph (1) and that such altered thresholds may be based on classes of chemicals. EPA is

considering lowering the thresholds for those chemicals which it determines to be highly toxic at very low dose levels and/or have physical, chemical, or biological properties that make the chemicals persist for extended periods in the environment, and/or bioaccumulate through the food chain. Persistent bioaccumulative toxic chemicals are of particular concern in ecosystems such as the Great Lakes Basin due to the long retention time of the individual lakes and the cycling of the chemicals from one component of the ecosystem to another. EPA is currently conducting analysis to determine which chemicals present the specific problems described above, and to determine what the altered threshold value(s) should be.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Sectors Affected: 20 Food and Kindred Products; 10 Metal Mining; 12 Coal Mining; 491 Electric Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3880

OTHER SECTORS AFFECTED: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

Agency Contact: Maria Doa, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7408, Washington, DC 20460
Phone: 202 260-9592

EPA—EPCRA

Prerule Stage

Fax: 202 401-8142
 Email: doa.maria@epamail.epa.gov
 RIN: 2070-AD09

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Emergency Planning and Community Right-to-Know Act (EPCRA)

3471. EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT: AMENDMENTS TO SECTIONS 302 THROUGH 312**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 99-499**CFR Citation:** 40 CFR 355; 40 CFR 370**Legal Deadline:** None

Abstract: This proposal is intended to modify the regulations addressing the chemical inventory reporting forms under section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA), as well as other regulations under the law. EPA is also rewriting the regulations under sections 302, 303, 304, and 311/312 of EPCRA using a plain English format to make them easier to understand and use.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3215

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, 5104, Washington, DC 20460
 Phone: 202 260-4043

RIN: 2050-AE17**3472. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT, SECTION 112(R)(7): AMENDMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412(r); 42 USC 7601(a)(1)**CFR Citation:** 40 CFR 68**Legal Deadline:** None

Abstract: The Clean Air Act section 112(r) required EPA to publish regulations focusing on the prevention of chemical accidents, building on the chemical safety work begun under the Emergency Planning and Community Right-to-Know Act (EPCRA). On June 20, 1996, EPA published the final rule for Risk Management Programs. An estimated 66,000 facilities are subject to this regulation based on the quantity of regulated substances they have on-site. These facilities will be required to implement a Risk Management Program and submit a summary of the program (the risk management plan, or RMP) to a central location specified by EPA. The RMP data will assist State and local government entities responsible for chemical emergency preparedness and prevention. It will also be useful to environmental and community organizations and the public in understanding the chemical risks in their communities. EPA will use the RMP data to set priorities, target resources, and measure the success of the Risk Management Program in accordance with the Government Performance and Results Act (GPRA). In addition, EPA hopes the availability of this information will stimulate a dialogue between industry and the public to improve accident prevention and emergency response practices at the local level.

EPA is planning to propose the following modifications to the RMP final rule: (1) clarify how Confidential Business Information (CBI) should be submitted to EPA; (2) add 3 required and 4 optional data elements to the previous requirements; and (3) replace Standard Industrial Classification (SIC) codes with the North American Industry Classification System (NAICS).

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	06/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Tribal, Federal

Sectors Affected: 261 Pulp Mills; 281 Industrial Inorganic Chemicals; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 4029

Agency Contact: Sicy Jacob, Environmental Protection Agency, Solid Waste and Emergency Response, 5104, Washington, DC 20460
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RIN: 2050-AE46**3473. TRI; CHEMICAL EXPANSION; FINALIZATION OF DEFERRED CHEMICALS****Priority:** Other Significant**Legal Authority:** 42 USC 11013; 42 USC 11023; 42 USC 11048; 42 USC 11076 EPCRA sec 313**CFR Citation:** 40 CFR 372**Legal Deadline:** None

Abstract: On November 30, 1994, EPA added 286 chemicals and chemical categories to EPCRA section 313 list, including 39 chemicals as part of two delineated categories. Each chemical and chemical category was found to meet the statutory criteria described in EPCRA section 313(d)(2)(A)-(C). At this time, EPA deferred final action on 40 chemicals and one chemical category until a later date. These were deferred because the comments received on them raised difficult technical or policy issues which required additional time to address. EPA chose not to delay final action on the 286 chemical and chemical categories because of the additional time needed to address the issues surrounding the smaller group of 40 chemicals and one chemical category; rather, EPA believed it to be in the spirit of community right-to-know to proceed with the final rulemaking of the additional chemicals and chemical categories.

EPA—EPCRA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/12/94	59 FR 1788
Final Rule Listing of 286 Chemicals and Chemical Categories	11/30/94	59 FR 61432
Supplemental NPRM Deferred Chemicals	03/00/99	
Final Rule Deferred Chemicals	12/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 20 Food and Kindred Products; 10 Metal Mining; 12 Coal Mining; 491 Electric Services

Additional Information: SAN No. 3007

Includes SIC codes: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070-AC47

3474. TRI; DATA EXPANSION AMENDMENTS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 11013 EPCRA sec 313; 42 USC 11023; 42 USC 11048; 42 USC 11076

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The original Toxics Release Inventory (TRI) required reporting from manufacturing facilities on the releases and other waste management activities including waste treatment and disposal methods. This requirement was

imposed under the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313(g). Information on waste management practices, including recycling, energy recovery, and source reduction activities, were added to TRI pursuant to the 1990 passage of the Pollution Prevention Act. EPA is currently considering whether additional data elements related to a mass balance/materials accounting program should be considered for incorporation into the TRI database. The additional data elements included for consideration include: quantity brought on site; quantity produced on site; quantity consumed on site; quantity contained in or as product; quantity stored on site as waste, and beginning and ending raw materials inventory. The issue of collecting mass balance/materials accounting information has been debated for over a decade. Congress, in enacting EPCRA, directed the National Academy of Sciences (NAS) to study this issue further. NAS recommended that the issue of adding materials accounting data merited further analysis.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/96	61 FR 51322
NPRM	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Sectors Affected: 20 Food and Kindred Products; 10 Metal Mining; 12 Coal Mining; 493 Combination Electric and Gas, and Other Utility Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3877

OTHER SECTORS AFFECTED: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070-AD08

3475. TRI; ADDITION OF OIL AND GAS EXPLORATION AND PRODUCTION TO THE TOXIC RELEASE INVENTORY

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 11013 EPCRA 313; 42 USC 11023; 42 USC 1108; 42 USC 11076

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The original Toxics Release Inventory (TRI) required reporting from facilities in Standard Industrial Classification (SIC) codes 20-39. These SIC codes cover manufacturing facilities only. This requirement was specified under the Emergency Planning and Community Right-To-Know Act (EPCRA) section 313(b)(1)(A). EPCRA section 313(b)(1)(B) and (b)(2) provide the Administrator with the authority to add or delete SIC codes and the discretion to add particular facilities based on a broad set of factors. The Environmental Protection Agency (EPA) has recently expanded this original list of covered industries. EPA is beginning analyses to determine whether facilities which perform exploration and production of oil and gas should also be added to the list of facilities covered under EPCRA section 313. Facilities recently added include certain electric generating facilities, waste management facilities, metal and coal mining, hazardous waste treatment facilities, solvent recyclers, and wholesale distributors of chemicals and petroleum products.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Rule	12/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Sectors Affected: 13 Oil and Gas Extraction

Analysis: Regulatory Flexibility Analysis

EPA—EPCRA

Proposed Rule Stage

Additional Information: SAN No. 4023

Program is implemented at the Federal level. States are designated as co-recipients of the information, but are not required to manage the information in any particular manner.

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RIN: 2070-AD19

3476. TRI; RESPONSES TO PETITIONS RECEIVED TO ADD OR DELETE CHEMICALS FROM THE TOXIC RELEASE INVENTORY

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 11013 EPCRA sec 313

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: These actions grant or deny petitions received to add or delete chemicals from the list of toxic chemicals under section 313 of the Emergency Planning and Community Right to Know Act, EPCRA. The actions cover individual chemicals or groups of chemicals for which petitions have been received.

Timetable:

Action	Date	FR Cite
Notice DBNPA (Delete)	10/27/95	60 FR 54949
NPRM Dioxin and Dioxin-Like Compounds (i.e. Certain Furans and PCBs)	05/07/97	62 FR 24887
Notice of Denial Phosphoric Acid (Delete)	01/23/98	63 FR 3566

Action	Date	FR Cite
Response Methyl Ethyl Ketone (MEK) (Delete)	04/00/98	
Response Methyl Isobutyl Ketone (MIBK) (Delete)	05/00/98	
Response Chromite Ore	07/00/98	
Response Acetonitrile	08/00/98	
Response Alloys--Chromium, Nickel, and Copper Alloys (Modify)	09/00/98	
Final Response Dioxin and Dioxin-like Compounds	10/00/98	
Final Response DBNPA (Delete)	11/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Sectors Affected: 20 Food and Kindred Products; 10 Metal Mining; 12 Coal Mining; 491 Electric Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2425

Other deadline: Within 180 days of receipt the Agency must either initiate rulemaking or explain why not in the Federal Register. Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products--Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070-AC00

3477. TRI; POLLUTION PREVENTION ACT INFORMATION REQUIREMENTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 11013 Pollution Prevention Act

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: Section 6607(b) of the Pollution Prevention Act of 1990 (PPA) (Pub. L. 101-508) requires the addition of several data elements to the Toxic Chemical Release Inventory (TRI) reporting requirements as promulgated under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (Pub. L. 99-499). Section 313 of EPCRA requires owners or operators of certain facilities that manufacture, process, or otherwise use listed toxic chemicals to annually report their releases of these chemicals to each environmental medium. The PPA mandates that section 313 covered facilities also report on source reduction and recycling activities relating to the toxic chemicals beginning with the 1991 reporting year. Since 1991 covered facilities have been providing this information to EPA in section 8A, Source Reduction and Recycling Activities, of EPA Form R. On September 25, 1991 (56 FR 48475), EPA proposed regulations which would provide definitions and instructions for reporting the PPA data elements on the EPA Form R. In this action, EPA will both amend certain aspects of the September 25, 1991, proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplemental NPRM	09/00/98	
Final Rule Finalization of Form R	12/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Sectors Affected: 20 Food and Kindred Products; 10 Metal Mining; 12 Coal Mining; 491 Electric Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2847

Affected Sectors Include: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10

EPA—EPCRA

Proposed Rule Stage

except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum

Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070-AC24

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

3478. MODIFICATION OF THE EXTREMELY HAZARDOUS SUBSTANCE (EHS) LIST

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 355 app A; 40 CFR 355 app B

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Ferris

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RIN: 2050-AE42

3479. MODIFICATION OF THRESHOLD PLANNING QUANTITY FOR ISOPHORONE DIISOCYANATE

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 355

Timetable:

Action	Date	FR Cite
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Ferris

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Fax: 202 260-0927

RIN: 2050-AE43

3480. TRI; REVIEW OF CHEMICALS ON THE ORIGINAL TRI LIST

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 372

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Rule	12/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

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RIN: 2070-AD18

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

3481. LIST OF REGULATED SUBSTANCES AND THRESHOLDS FOR ACCIDENTAL RELEASE PREVENTION—MODIFICATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 68

Completed:

Reason	Date	FR Cite
Final Action	01/06/98	63 FR 640

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2050-AE35

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)

Prerule Stage

3482. • RCRA REPORTING AND RECORDKEEPING BURDEN REDUCTION; ANPRM
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 104-13; 42 USC 6907; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6935; 42 USC 6937 to 6939; 42 USC 6944; 42 USC 6949a; 42 USC 6974

CFR Citation: Not yet determined**Legal Deadline:** None

Abstract: To comply with the requirements of the Paperwork Reduction Act of 1995, EPA must reduce the information collection burden associated with the reporting and recordkeeping requirements imposed on the regulated community by the Agency's regulatory programs. Information Collection Requests (ICRs) approved by OMB provide a measure of the reporting and recordkeeping requirements associated with a particular regulation. The Office of Solid Waste (OSW) is conducting a comprehensive review of all RCRA ICRs and is developing options for reducing the regulatory burden associated with all ICRs. There are two broad categories of options: (1) recalculate the regulatory burden associated with a particular ICR to more accurately reflect the time necessary to comply with reporting and recordkeeping requirements, and (2) streamline or eliminate regulatory reporting and recordkeeping requirements. After considering public comment, the Agency will then proceed to a proposed and final rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4084

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Robert Burchard, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
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RIN: 2050-AE50
3483. • REINVENTING THE LAND DISPOSAL RESTRICTIONS PROGRAM
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268**Legal Deadline:** None

Abstract: The Land Disposal Restrictions (LDR) program was established to minimize threats posed by the land disposal of untreated hazardous wastes. The program has been in place for a number of years and now regulates all but the most recently listed hazardous wastes. The Agency is now examining the LDR program, exploring past accomplishments, future possibilities, and current issues. The goals of the examination are to make the LDR program cheaper, smarter, cleaner, and more flexible. The Agency will develop an Advance Notice of Proposed Rulemaking (ANPRM) to present initial thinking and the results of some activities taken as part of the ongoing LDR Reinvention Project so that the public will have an opportunity to comment. A proposed and final rule will follow.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 28 Chemicals and Allied Products; 33 Primary Metal Industries; 109 Miscellaneous Metal Ores; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 4093

Agency Contact: Rhonda Minnick, Environmental Protection Agency,

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RIN: 2050-AE53
3484. • LAND DISPOSAL RESTRICTIONS; POTENTIAL REVISIONS FOR MERCURY LISTED AND CHARACTERISTIC WASTES; ANPRM
Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268**Legal Deadline:** None

Abstract: This Advance Notice of Proposed Rulemaking (ANPRM) will solicit data and comments on treatment data that the Agency has gathered on the treatment of mercury wastes. Some forms of mercury wastes are now required to be treated by either incineration or retorting. Both of these forms of treatment have the potential to emit mercury via air emissions. Also, some information suggests that certain waste types which are required to be retorted are not amenable to that form of treatment. There also is a shrinking demand for mercury, which brings up concerns about requiring recovery of mercury wastes. The data and information gathered by this ANPRM process is intended to be used to propose revised treatment standards for some forms of mercury hazardous wastes in a future rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 281 Industrial Inorganic Chemicals; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products

Additional Information: SAN No. 4094

Agency Contact: Mary Cunningham, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
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RIN: 2050-AE54

EPA—RCRA

Prerule Stage

**3485. • RCRA APPENDIX VIII
STREAMLINING; ANPRM****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6938**CFR Citation:** 40 CFR 261**Legal Deadline:** None**Abstract:** This action will propose to modify the list of chemicals found in Appendix VIII of 40 CFR part 261 by: (1) adding new chemicals which have been found to be toxic to humans and/or wildlife when they are managed in commerce, stockpiled, or discarded, and (2) deleting those chemicals for which the potential for exposure no longer exists, or for which analytical methods do not exist.**Timetable:**

Action	Date	FR Cite
ANPRM	03/00/99	

Small Entities Affected: None**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4090**Agency Contact:** Dr. Monica A. Barron, Environmental Protection Agency, Solid Waste and Emergency Response, 5307W, Washington, DC 20460
Phone: 703 308-0483
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DISPOSAL RESTRICTIONS FOR FIRST
THIRD SCHEDULED WASTES
(SECTION 610 REVIEW)****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 610**CFR Citation:** 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 268; 40 CFR 271**Legal Deadline:** None**Abstract:** The First Third rule was promulgated under the authority of section 3004 of the Hazardous and Solid Waste Amendments of 1984 to the Resource Conservation and Recovery Act (8/17/88, 53 FR 31138).

The rule established treatment standards for a subgroup of hazardous wastes; these standards must be met before the wastes are disposed on land, as mandated by the Amendments. EPA performed a regulatory flexibility analysis for this rule and found there was a significant impact on 6 small facilities in one industry, which was not considered a substantial number. The Agency did not have data on other potentially affected industries, and recognized that other small businesses may also be significantly affected.

This new entry in the regulatory agenda announces review of the final rule as required by section 610 of the Regulatory Flexibility Act. EPA solicits comment on the following factors: (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates or conflicts with other Federal, State, or local government rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

It is the Agency's view that there is a continued need for the rule; however the Agency welcomes suggestions for reducing any unnecessary burden on small entities resulting from the First Third rule. The First Third rule is one of several rules that together formed a major RCRA program, called the Land Disposal Restrictions program. In 1991, EPA reviewed the entire program, including public involvement, and identified substantial measures that could reduce the paperwork burden and simplify the regulations. In 1996 and 1997, EPA enacted those measures. Since then, EPA established more treatment standards, as required by RCRA, and is planning another reevaluation of the Land Disposal Restrictions program, with wide public involvement, to further improve and if possible, further reduce burden.

As for the First Third rule in particular, EPA has received comment on a small number of issues since promulgation and, as a result, has made regulatory changes and is considering others. Other issues from the First Third may arise during the reinvention project (see RIN 2050-AE53 for more information).

Timetable:

Action	Date	FR Cite
Begin Review	04/00/98	
End Comment Period	07/00/98	
Complete Review	08/00/98	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4134**Agency Contact:** Sue Slotnick, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
Phone: 703 308-8462**RIN:** 2050-AE56**3487. • TECHNICAL STANDARDS AND
CORRECTIVE ACTION
REQUIREMENTS FOR OWNERS AND
OPERATORS OF UNDERGROUND
STORAGE TANKS (SECTION 610
REVIEW)****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 610**CFR Citation:** 40 CFR 280**Legal Deadline:** None

Abstract: In September 1988, the Environmental Protection Agency (EPA) promulgated regulations establishing technical standards and corrective action requirements applicable to underground storage tanks (USTs) (September 23, 1988, 53 FR 37082). The UST regulations were issued under the authority of sections 2002, 9001 through 9007, and 9009 of the Solid Waste Disposal Act of 1970, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC 6912, 6991, 6991(a) through (f), 6991(h)). They became effective December 22, 1988, and are applicable to underground storage tanks containing petroleum or substances defined as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. EPA performed a regulatory flexibility analysis for this rule and determined that it would have a significant economic impact on a substantial number of small entities.

This new entry in the regulatory agenda announces that EPA will review the UST regulations pursuant to section 610 of the Regulatory Flexibility Act (5 USC 610). EPA solicits comments on the continued need for the rule; the

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complexity of the rule; the extent to which it overlaps, duplicates, or conflicts with other Federal, State, or local government rules; and the degree to which technology, economic conditions, or other relevant factors have changed since the rule was promulgated. EPA also will welcome comments on any other aspect of the rule.

EPA continues to view this regulation as a vital component of State-EPA efforts to ensure effective detection, remediation, and prevention of UST releases in order to protect human health and the environment. EPA

intends to continue to require compliance with the regulation. Until and unless the Agency modifies the rule, owners and operators of underground storage tanks will be expected to comply with all parts of the rule. The Agency performed a similar review 3 years ago and concluded at that time that there was neither a need for nor any significant stakeholder support for changes to the UST regulation.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/98	

Action	Date	FR Cite
End Comment Period	07/00/98	
End Review	09/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 4139

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RIN: 2050-AE57

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)**

Proposed Rule Stage

3488. • MODIFICATIONS TO RCRA RULES ASSOCIATED WITH SOLVENT-CONTAMINATED SHOP TOWELS AND WIPERS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6921

CFR Citation: 40 CFR 261; 40 CFR 273

Legal Deadline: None

Abstract: This action would modify RCRA rules that impact the management of solvent-contaminated shop towels and wipers. Solvent contaminated shop towels and wipers are used throughout industry for equipment cleaning and other related facility operations. Many times the "spent" shop towels and wipers are a hazardous waste because the solvent used is either a characteristic or listed solvent. An examination of industry use and management practices reveals that many facilities may use only small amounts of solvent on their disposable wipers, and use small numbers of wipers daily -- suggesting that these materials, particularly if listed solvents are being used, pose little or no risk to human health and the environment if disposed in municipal landfills. Similarly, situations exist where both disposable wipers and reusable shop towels are not being managed according to prescribed federal and States rules

and policies. Problems with this issue have persisted since the late 1980's.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State

Sectors Affected: 27 Printing, Publishing, and Allied Industries; 55 Automotive Dealers and Gasoline Service Stations; 75 Automotive Repair, Services, and Parking; 25 Furniture and Fixtures

Additional Information: SAN No. 4091

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RIN: 2050-AE51

3489. • GLASS-TO-GLASS RECYCLING OF CATHODE RAY TUBES (CRTS): CHANGES TO HAZARDOUS WASTE REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Not yet determined

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action will revise the existing federal hazardous waste regulations to remove regulatory barriers to "glass-to-glass" recycling of Cathode Ray Tubes (CRTs). A CRT is the main component of a television or computer monitor. A CRT is made largely of specialized glasses, some of which contain lead to protect the user from X-rays inside the CRT. Due to the lead, when they are disposed of or reclaimed some CRTs are hazardous wastes under the Federal Resource Conservation and Recovery Act (RCRA) regulations. Glass-to-glass recycling involves the return of used CRT glass to manufacturing of new CRTs.

This action is planned in response to an anticipated recommendation on CRT recycling from the Common Sense Initiative (CSI) to the Environmental Protection Agency (EPA). CSI is a consensus-based process for developing "cleaner, cheaper, smarter" environmental improvements that includes representatives of: industry; environmental groups; community groups; environmental justice groups; labor; and, federal, state, local, and tribal governments. The recommendation is being developed by the Workgroup on Overcoming Barriers Pollution Prevention, Product Stewardship, and Recycling of the Computers and Electronics CSI Subcommittee (Barriers Workgroup). The Barriers Workgroup has designed a process for developing a recommendation on CRT recycling that includes information gathering, analysis, and discussion to reach consensus. The Workgroup started

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evaluating CRT recycling in general, and then agreed to limit the first phase of the project to glass-to-glass recycling. Other recycling processes will be evaluated in subsequent phases.

Because the CSI is currently working toward a consensus recommendation the specifics of the approach are not known at this time. However, it is expected that the recommendation will involve minimizing RCRA requirements for glass-to-glass recycling while retaining appropriate controls to ensure protection of human health and the environment. Note that the schedule for this rule depends on when the CSI recommendation is completed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 367 Electronic Components and Accessories

Additional Information: SAN No. 4092

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RIN: 2050-AE52

3490. REMOVAL OF REQUIREMENT TO USE SW-846 METHODS (TEST METHODS FOR EVALUATING SOLID WASTE: PHYSICAL/CHEMICAL METHODS)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934 to 6939; 42 USC 6974; 42 USC 9601(37); 42 USC 9614(c)

CFR Citation: 40 CFR 258; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 279

Legal Deadline: None

Abstract: The EPA Office of Solid Waste (OSW) has been actively working to break down the barriers that the environmental monitoring community

faces when trying to use new monitoring techniques. As a first step, OSW has speeded up the process of getting new methods reviewed by EPA and published in SW-846 by chopping 15 months off the proposal to promulgation cycle. This was accomplished by eliminating several unnecessary internal review steps, and by streamlining the internal approval process for each new method.

However, there are currently 32 citations in title 40 of the Code of Federal Regulations (CFR) where the use of SW-846 methods is required. As a second step for speeding up the approval process, OSW plans to remove the requirements to use SW-846 methods for other than method defined parameters (i.e., where the method defines the regulations, such as the Toxicity Characteristic Leaching Procedure) from 40 CFR. This will likely lead to an even more streamlined approval process since SW-846 will then be able to be handled strictly as guidance and not need the regulatory process for approval.

This additional streamlining will permit new, more cost-effective methods to attain public and regulatory authority acceptance in much less time, allowing required monitoring to be done more cheaply, faster and, in some cases, more accurately.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3989

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RIN: 2050-AE41

3491. STANDARDIZED PERMIT FOR RCRA HAZARDOUS WASTE MANAGEMENT FACILITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 42 USC 6905; 42 USC 6912; 42 USC 6924; 42 USC 6925; 42 USC 6927; 42 USC 6939; 42 USC 6974

CFR Citation: 40 CFR 124; 40 CFR 264; 40 CFR 270

Legal Deadline: None

Abstract: The Agency, in 1994, convened a special task force to look at permitting activities throughout its different programs and to make specific recommendations to improve these permitting programs. This task force, known as the Permits Improvement Team (PIT), worked with stakeholders from the Agency, State permitting agencies, industry, and the environmental community. The PIT stakeholders mentioned, among other things, that permitting activities should be commensurate with the complexity of the activity. The stakeholders felt that current Agency permitting programs were not flexible enough to allow streamlined procedures for routine permitting activities.

Currently, facilities that store, treat, or dispose of hazardous waste obtain site-specific permits prescribing conditions for each "unit" (e.g., tank, container area, etc.) in which hazardous waste is managed. Experience gained by the Agency and States over the past 15 years has shown that not all waste management activities are at the same level of complexity. Some activities, such as thermal treatment or land disposal of hazardous waste are more complex than storage of hazardous waste. The Agency feels that thermal treatment and land disposal activities continue to warrant individual permits, prescribing unit-specific conditions. However, the Agency feels that some accommodation can be made for hazardous waste management practices in standardized units such as tanks, container storage areas, and containment buildings. These types of units are relatively simple and straightforward when compared to site-specific issues that arise at landfills and operating issues that are common at thermal treatment units. The PIT tentatively recommended, among other things, that regulations be developed to allow "general permits" for on-site storage and treatment of hazardous waste in tanks, containers, and containment buildings.

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This rulemaking will allow a type of general permit, called a "standardized permit", for facilities that generate waste and routinely manage the waste on-site in tanks, containers, and containment buildings. Under the standardized permit, facility owners and operators would certify compliance with generic design and operating conditions set on a national basis. The permitting agency would review the certifications submitted by the facility owners or operators. The permitting agency would also be able to impose additional site-specific terms and conditions for corrective action or other purposes, as called for by RCRA. Ensuring compliance with the standardized permit's terms and conditions would occur during inspection of the facility after the permit has been issued.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 281 Industrial Inorganic Chemicals; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products; 286 Industrial Organic Chemicals

Additional Information: SAN No. 4028

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RIN: 2050-AE44

3492. MODIFICATIONS TO THE DEFINITION OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING: GENERAL

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905 Resource Conservation Recovery Act sec 1004

CFR Citation: 40 CFR 261; 40 CFR 266

Legal Deadline: None

Abstract: Recycling of hazardous waste is governed by the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. The portion of these regulations known as the Definition of Solid Waste (DSW) specifies whether hazardous materials that are recycled are subject to RCRA regulatory jurisdiction or not. Other parts of the regulations set forth requirements for managing recycled hazardous waste. This regulatory action will revise the hazardous waste recycling regulations to respond partially to concerns that they are overly complex, difficult to understand, and that they pose a barrier to safe hazardous waste recycling.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 2872

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RIN: 2050-AD18

3493. HAZARDOUS WASTE MANIFEST REGULATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6922 Resource Conservation Recovery Act sec 3002(a)(5); 42 USC 6923 Resource Conservation Recovery Act sec 3003(a)(3); 42 USC 6924 Resource Conservation Recovery Act sec 3004(a)(2); 42 USC 6974 Resource Conservation Recovery Act sec 7004(a)

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 271

Legal Deadline: None

Abstract: The Uniform Hazardous Waste Manifest (Form 8700-22) is a multi-copy form used to identify the quantity, composition, origin, routing,

and destination of hazardous waste during its transportation. The manifest system's reliance on paper results in significant paperwork and cost burden to waste handlers and states who collect manifest information. The Agency intends to pursue an optional approach to redesign the manifest system so that it utilizes automated technologies to increase access to manifest related information, and to facilitate the manifest process, including the form's preparation, transmission, and recordkeeping, thereby lessening the total burden on waste handlers and states.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3147

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RIN: 2050-AE21

3494. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a) Resource Conservation Recovery Act sec 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 requires EPA to issue guidelines which designate items that are or can be made with recovered materials and to

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recommend practices for government procurement of these materials. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. Government procurement of EPA-designated items containing recovered materials fosters markets for those materials and, thereby, closes the recycling loop. On May 1, 1995, under RCRA and Executive Order 12873, "Federal Acquisition, Recycling, and Waste Prevention," EPA designated 19 items in a Comprehensive Procurement Guideline (CPG) (60 FR 21370). EPA also issued purchasing recommendations in a related Recovered Materials Advisory Notice (RMAN) (60 FR 21386). The Order requires EPA to update the CPG and issue RMANs annually. On November 13, 1997, EPA issued the first update to the CPG (CPG2), in which 12 additional items were designated; additional recommendations are discussed in RMAN II. The new actions would: (1) propose the second update to the CPG (CPG3), including recommendations in RMANs, and (2) propose the third update to the CPG (CPG4).

Timetable:

Action	Date	FR Cite
NPRM (CPG2)	11/07/96	61 FR 57748
Final (CPG2)	11/13/97	62 FR 60962
NPRM (CPG3)	04/00/98	
Final Rule (CPG3)	11/00/98	
NPRM (CPG4)	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3545

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RIN: 2050-AE23

3495. MANAGEMENT OF CEMENT KILN DUST (CKD)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a) Resource Conservation Recovery Act sec 2002(a); 42 USC 6921(a) Resource Conservation Recovery Act sec 3001(a)

CFR Citation: 40 CFR 259; 40 CFR 261; 40 CFR 264; 40 CFR 266

Legal Deadline: None

Abstract: CKD is a high volume material by-product of the cement manufacturing process. While it contains potentially hazardous constituents such as lead, cadmium and chromium, it has been exempted since November 1980 from hazardous waste regulation under RCRA Subtitle C by the Bevill Amendment, which modified section 3001 of RCRA to exempt certain special wastes until further studies could be completed and any applicable regulations were promulgated. In

December 1993, EPA submitted a Report to Congress with its findings on the nature and management practices associated with CKD. This was followed in January 1995 by an EPA regulatory determination published in the Federal Register (60 FR 7366, 2/7/95), which concluded that additional control of CKD is warranted. In the regulatory determination EPA committed to develop additional tailored regulations under RCRA Subtitle C and, if necessary, the Clean Air Act. As part of its regulatory development effort, the Office of Solid Waste within EPA's Office of Solid Waste and Emergency Response has initiated further studies and has held informal discussions with stakeholders interested in regulations under RCRA Subtitle C for the management of CKD. The proposed regulations will be tailored to protect human health and the environment while limiting burden on the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3856

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RIN: 2050-AE34

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Resource Conservation and Recovery Act (RCRA)

3496. MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT; CODIFICATION OF WASTE MANAGEMENT PROVISIONS

Priority: Other Significant

Legal Authority: 42 USC 14303

CFR Citation: 40 CFR 271; 40 CFR 273

Legal Deadline: None

Abstract: The purpose of this rule is to codify into the Code of Federal Regulations certain provisions of the Mercury-Containing and Rechargeable Battery Management Act (42 USC

14301-36) that impact the May 11, 1995 Universal Waste Rule (60 FR 25492). The Act was signed by the President on May 13, 1996 and became immediately effective nationwide on the date of signature. Specifically, one provision of the law requires the collection, storage, and transportation of the following types of batteries be managed according to standards established in the Universal Waste rule: used rechargeable batteries, lead-acid batteries not covered by 40 CFR part 266, rechargeable alkaline batteries, certain mercury-containing batteries banned from domestic sale, and used

consumer products containing rechargeable batteries that are not easily removable. The law prohibits State imposed requirements that are not identical to those found in the final Federal universal waste rule, but allows States to adopt and enforce identical standards and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule if the standards are approved by the EPA Administrator.

The costs of this action should be minimal to the regulated industry since

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the community regulated by the law -- battery manufacturers, industries that use batteries in their consumer products, and the retail industry -- all support the law. In addition, the regulated community has rechargeable battery recycling programs already in place and such recycling programs are in compliance with the labeling and management provisions of the law. Second, most States have state rechargeable battery recycling statutes in place but their recycling programs vary to some degree with respect to labeling and management requirements. Therefore, modifications to State statutes for rechargeable battery recycling will be necessary, but not costly.

Timetable:

Action	Date	FR Cite
Direct Final Rule	08/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: SAN No. 3888

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RIN: 2050-AE39

3497. ● RECYCLED USED OIL CONTAINING PCBs

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9601(37); 42 USC 9614(c); 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6974

CFR Citation: 40 CFR 261; 40 CFR 279

Legal Deadline: None

Abstract: This direct final rule eliminates errors and clarifies ambiguities in the used oil management standards. Specifically, the rule clarifies (1) when used oil contaminated with polychlorinated biphenyls (PCBs) is regulated under the used oil management standards and when it is not, (2) that the requirements applicable to releases of used oil apply in States that are not authorized for the RCRA base program, (3) that mixtures of conditionally exempt small quantity generator (CESQG) wastes and used oil are subject to the used oil management standards irrespective of how that

mixture is to be recycled, and (4) that the initial marketer of used oil that meets the used oil fuel specification need only keep a record of a shipment of used oil to the facility to which the initial marketer delivers the used oil. The rule also amends three incorrect references to the pre-1992 used oil specifications in the provisions which address hazardous waste fuel produced from, or oil reclaimed from, oil bearing hazardous wastes from petroleum refining operations.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 4088

Agency Contact: Tom Rinehart, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-4309

RIN: 2050-AE47

3498. HAZARDOUS WASTE MANAGEMENT SYSTEM: POST-CLOSURE REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6926 Resource Conservation Recovery Act sec 3006; 42 USC 6912(a) Resource Conservation Recovery Act sec 2002(a); 42 USC 6924 Resource Conservation Recovery Act sec 3004; 42 USC 6925 Resource Conservation Recovery Act sec 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 124

Legal Deadline: None

Abstract: Under the current RCRA regulations, a facility that needs post-closure care must obtain a permit. In many cases, the post-closure permit is an appropriate mechanism for the regulatory agency to use to address the environmental needs at the facility. In other cases, however, a permit may not be appropriate. And, in some cases, the facility's post-closure care needs may have already been addressed through other legal mechanisms, such as

enforcement actions or Superfund actions. In these cases, subsequent issuance of a post-closure permit would not provide any environmental benefit, although, under the current regulations, it is still required. This rule would remove the requirements to issue a permit to address post-closure care in all cases. A permit would remain an option, but EPA Regions and authorized States would be able to use other mechanisms as well, depending on the circumstances at the facility.

Timetable:

Action	Date	FR Cite
NPRM	11/08/94	59 FR 55778
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3042

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460
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RIN: 2050-AD55

3499. LISTING DETERMINATION FOR HAZARDOUS WASTES—ORGANOBROMINES CHEMICAL INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 6922 Resource Conservation Recovery Act sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102; 33 USC 1361; 42 USC 9620 Superfund (CERCLA) sec 311

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:

Final, Judicial, April 15, 1998.

Abstract: This action proposes to list as a hazardous waste under RCRA one waste stream generated during the production of 2,4,6-tribromophenol, an organobromine chemical used as a fire retardant. This waste would then have to be managed in accordance with the RCRA hazardous waste requirements. This action also proposes not to list as hazardous ten waste streams from the production of bromochloromethane, ethyl bromide, tetrabromobisphenol A, 2,4,6-tribromophenol wastewaters, octabromodiphenyl oxide, and decabromodiphenyl oxide.

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Timetable:

Action	Date	FR Cite
NPRM	05/11/94	59 FR 24530
Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3065

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
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RIN: 2050-AD79

3500. SPENT SOLVENTS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921 Resource Conservation Recovery Act sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:

Final, Judicial, October 31, 1998.

Abstract: This action addresses the potential human health and environmental risks posed by certain used solvents and wastes from their use, and determines whether or not these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA these wastes would also be added to the CERCLA list of hazardous substances. The spent solvents currently under this listing determination are: cumene, phenol, isophorone, acetonitrile, fufural, epichlorohydrin, methyl chloride, ethylene dibromide, benzyl chloride, p-dichlorobenzene, 2-methoxyethanol, 2-ethoxyethanol, 2-ethoxyethanol acetate, and cyclohexanol. On August 14, 1996, the Agency proposed not to list these spent solvents.

Timetable:

Action	Date	FR Cite
NPRM	08/14/96	61 FR 42318
Final Rule	10/00/98	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3134

Agency Contact: Ron Josephson, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460

Phone: 703 308-0442

RIN: 2050-AD84

3501. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Legal Authority: 42 USC 6921 Resource Conservation Recovery Act sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:

Other, Judicial, June 15, 1998, Notice of Data Availability.

Final, Judicial, February 15, 1999.

Abstract: This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any potentially unacceptable risks. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined at this time. Three waste streams (filter aids, triarylmethane, and anthraquinone) are subject to later deadlines for proposed and final action. The date for the final rule is based on recent settlement discussions with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 D.D.C.

Timetable:

Action	Date	FR Cite
NPRM	12/22/94	59 FR 66072
Notice (Notice of Data Availability)	06/00/98	
Final Rule	02/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3066

Agency Contact: Kathy Fredriksen, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-8285

RIN: 2050-AD80

3502. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: PETROLEUM REFINING PROCESS WASTES; LAND DISPOSAL RESTRICTIONS FOR NEWLY IDENTIFIED WASTES; AND CERCLA HAZARDOUS SUBSTANCE DESIGNATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6921 Resource Conservation Recovery Act sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:

Final, Judicial, June 29, 1998.

Abstract: This action addresses the potential human health and environmental risks posed by 14 waste streams from petroleum refining processes, and determines whether these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. As part of this action, the Agency is considering opportunities for source reduction, recycling, reclamation or reuse in other manufacturing processes. This action will be implemented by EPA and authorized States under RCRA. Impacts on small business are expected but are not significant.

Timetable:

Action	Date	FR Cite
NPRM	11/20/95	60 FR 57747
Interim Notice of Data Availability	04/08/97	62 FR 16747
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3064

Agency Contact: Maximo Diaz, Jr., Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0439

RIN: 2050-AD88

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3503. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; MERCURY-CONTAINING LAMPS**Priority:** Other Significant**Legal Authority:** 42 USC 6905; 42 USC 6912; 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6930; 42 USC 6938**CFR Citation:** 40 CFR 273**Legal Deadline:** None

Abstract: EPA is considering two deregulatory options for the management of spent mercury-containing lamps based on data which indicate that these lamps may be safely managed outside of the RCRA hazardous waste system or using a reduced regulatory structure under RCRA. The options were proposed in a Notice of Proposed Rulemaking on July 27, 1994 (59 FR 38288). Either option selected would have positive impacts on small businesses and state, local and tribal governments interested in collecting and managing lamps.

Timetable:

Action	Date	FR Cite
NPRM	07/27/94	59 FR 38288
Final Rule	07/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3237

Agency Contact: Rita Cestarc, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0769

RIN: 2050-AD93**3504. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 42 USC 6924 Resource Conservation Recovery Act sec 3004; 42 USC 6925 Resource Conservation Recovery Act sec 3005; Clean Air Act sec 112; Clean Air Act sec 114**CFR Citation:** 40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 271**Legal Deadline:**

Final, Judicial, April 1998, Settlement agreement: See additional information.

Abstract: The Environmental Protection Agency's (EPA's) strategy for hazardous waste minimization and combustion and a judicial settlement agreement commit EPA to upgrade its standards for burning hazardous waste in incinerators, boilers, and industrial furnaces.

Timetable:

Action	Date	FR Cite
NPRM Cement Kilns, Lightweight Aggregate Kilns, Incinerators	04/19/96	61 FR 17358
Final Rule MACT "Fasttrack" Rulemaking	05/00/98	
Final Rule Cement Kilns, LWAKs, Incinerators	12/00/98	
NPRM Boilers, Other Industrial Furnaces	12/00/99	

Small Entities Affected: Businesses**Government Levels Affected:** State**Additional Information:** SAN No. 3333

Legal Deadlines: Settlement agreement: Industrial furnaces and incinerators 4/98, Boilers 12/99.

Agency Contact: Larry Denyer, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
Phone: 703 308-8770

RIN: 2050-AE01**3505. LAND DISPOSAL RESTRICTIONS—PHASE IV: PAPERWORK REDUCTION; TREATMENT STANDARDS FOR WOOD PRESERVING, MINERAL PROCESSING AND CHARACTERISTIC METAL WASTES; RELATED MINERAL PROCESSING ISSUES****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905 Resource Conservation Recovery Act sec 1006; 42 USC 6912(a) Resource Conservation Recovery Act sec 2002(a); 42 USC 6921 Resource Conservation Recovery Act sec 3001; 42 USC 6924 Resource Conservation Recovery Act sec 3004**CFR Citation:** 40 CFR 148; 40 CFR 261; 40 CFR 266; 40 CFR 268; 40 CFR 271**Legal Deadline:**

Final, Judicial, April 15, 1998, Mineral Processing and Characteristic Metal Wastes.

Abstract: The Hazardous and Solid Waste Amendments of 1984 require the Environmental Protection Agency (EPA) to promulgate regulations establishing treatment standards that must be met before hazardous waste may be disposed of on land. This rulemaking establishes treatment standards for characteristic mineral processing wastes and TC metal wastes, and is expected to revise the standards for contaminated soils. It also addresses changes to the definition of solid waste for mineral processing secondary materials which are recycled within the mineral processing industry sector. In addition, the rule provides a conditional exclusion for some wastewaters generated at wood preserving plants.

Timetable:

Action	Date	FR Cite
NPRM	08/22/95	60 FR 43654
Supplemental NPRM	01/25/96	61 FR 2338
Final (Wood Preserving Wastes)	05/12/97	62 FR 25998
Supplemental NPRM (Mineral Processing and Characteristic Metal Wastes)	05/12/97	62 FR 26041
Final Rule (Mineral Processing and Characteristic Metal Wastes)	04/00/98	

Small Entities Affected: Businesses**Government Levels Affected:** State, Federal**Additional Information:** SAN No. 3366

Agency Contact: Sue Slotnick, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
Phone: 703 308-8462

RIN: 2050-AE05**3506. REQUIREMENTS FOR MANAGEMENT OF HAZARDOUS CONTAMINATED MEDIA (COMMONLY REFERRED TO AS HAZARDOUS WASTE IDENTIFICATION RULE FOR CONTAMINATED MEDIA OR HWIR-MEDIA)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

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duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a) Resource Conservation Recovery Act sec 2002(a); 42 USC 6921 Resource Conservation Recovery Act sec 3001; 42 USC 6924 Resource Conservation Recovery Act sec 3004; 42 USC 6925 Resource Conservation Recovery Act sec 3005; 42 USC 6926 Resource Conservation Recovery Act sec 3006; 42 USC 6927 Resource Conservation Recovery Act sec 3007; 42 USC 6974 Resource Conservation Recovery Act sec 7004

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 270; 40 CFR 271

Legal Deadline: None

Abstract: The Agency's goal for the HWIR-media proposal was to provide significant relief from administrative and substantive obstacles for the management of remediation wastes, so that states and EPA could base waste management decisions on actual site conditions and waste characteristics, according to their professional judgement instead of strict national requirements that are not uniformly appropriate at all cleanup sites. The Agency wanted to reduce the overlap between RCRA and the Clean Water Act (CWA) or Marine Protection, Research and Sanctuaries Act (MPRSA) for dredging operations, and EPA was considering withdrawing the regulations for Corrective Action Management Units (CAMUs). Finally, an additional goal was to streamline state authorization.

The Agency has decided on the general framework for finalization of the HWIR-media rule. The Agency plans to promulgate only targeted elements of the proposal rather than go forward with a more comprehensive approach. EPA plans to complement the targeted elements by leaving the CAMU regulations in place, rather than withdrawing these regulations as proposed. Targeted elements EPA plans to focus on are: streamlined permitting for cleanup sites that would eliminate the requirements for facility-wide corrective action at cleanup-only sites; options for remediation piles that resolve issues raised in the public comments; and a RCRA exclusion for dredged materials managed under CWA or MPRSA permits. At this time, EPA is not planning to finalize the portions of the proposal which would have distinguished between lower- and

higher-risk contaminated media and would have given regulatory agencies the flexibility to exempt lower-risk contaminated media from RCRA requirements. The Agency is planning to finalize the alternative land disposal restriction treatment standards for hazardous contaminated soil as part of the Land Disposal Restrictions Phase IV rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawn	10/30/92	57 FR 49280
NPRM	04/29/96	61 FR 18780
Final Rule	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 2982

Agency Contact: Carolyn Hoskinson, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460
Phone: 703 308-8626

RIN: 2050-AE22

3507. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES

Priority: Economically Significant. Major under 5 USC 801.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6924 Resource Conservation Recovery Act sec 3004(u); Resource Conservation Recovery Act sec 3004(v)

CFR Citation: 40 CFR 264; 40 CFR 270

Legal Deadline: None

Abstract: Past and present waste management practices at Resource Conservation and Recovery Act (RCRA) treatment, storage or disposal facilities have resulted in releases of hazardous constituents from some waste management units. These releases may cause contamination of soils, groundwater, surface water, and air. This regulation provides a framework for investigating and remediating releases at RCRA facilities as necessary to protect human health and the environment.

The Agency plans to issue the corrective action regulations in several phases. A proposal for corrective action at RCRA facilities was issued in July 1990. In February 1993, regulations concerning Corrective Action Management Units (CAMU) and Temporary Units were issued. An advance notice of proposed rulemaking (ANPRM) was published on May 1, 1996. The final phase will include assessing comments on the ANPRM, and striking the appropriate balance between finalizing certain provisions of the July 1990 proposal and issuing guidance for the corrective action program.

Timetable:

Action	Date	FR Cite
NPRM	07/27/90	55 FR 30798
Final Rule (Phase I)	02/16/93	58 FR 8658
ANPRM	05/01/96	61 FR 19432
Final Rule	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2390

Agency Contact: Hugh Davis, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460
Phone: 703 308-8633

RIN: 2050-AB80

3508. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a) Resource Conservation Recovery Act sec 2002(a); 42 USC 6924 Resource Conservation Recovery Act sec 3004; 42 USC 6925 Resource Conservation Recovery Act sec 3005; 42 USC 6926 Resource Conservation Recovery Act sec 3006

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761

Legal Deadline: None

Abstract: The revised financial responsibility test is intended to improve the current test in predicting which firms will enter bankruptcy and

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not be able to cover their financial obligations for liability and closure costs of hazardous waste treatment, storage and disposal facilities. A bankrupt firm may be unable to afford the proper closure of a facility which would require the government to incur response costs at the facility. The rule would also qualify owners and operators of RCRA Treatment, Storage, and Disposal Facilities which must currently use more expensive ways, such as surety bonds or letters of credit, of demonstrating financial assurance, to use the less expensive corporate financial responsibility test for more of their obligations. The combined savings from screening out riskier firms and making the test more available to viable firms would be approximately \$19 million annually in public and private costs. These regulatory amendments would have no effect on local or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	07/01/91	56 FR 30201
NPRM	10/12/94	59 FR 51523
Final Rule	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2647

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460
Phone: 703 308-8192

RIN: 2050-AC71

3509. RCRA SUBTITLE D SOLID WASTE FACILITIES; STATE PERMIT PROGRAM—DETERMINATION OF ADEQUACY (STATE IMPLEMENTATION RULE)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6945 Resource Conservation Recovery Act sec 4005; 42 USC 6912 Resource Conservation Recovery Act sec 2002

CFR Citation: 40 CFR 239

Legal Deadline: None

Abstract: This rule will establish criteria and procedures for EPA to use to determine whether State municipal solid waste (MSW) landfill permit programs and State permit programs relating to non-municipal, non-hazardous waste disposal units that

receive conditionally exempt small quantity generator (CESQG) waste are adequate to ensure compliance with the federal revised criteria in 40 CFR parts 258 and 257, subpart B, respectively. While the federal revised criteria apply to all MSW landfills and non-municipal, non-hazardous waste disposal units receiving CESQG waste, States with permit programs deemed adequate under this rule can provide some flexibility on certain requirements to owners and operators who meet the revised criteria's performance standards. In providing this flexibility, this action offers an opportunity to reduce the regulatory burden on State and local governments and on landfill owners and operators.

Timetable:

Action	Date	FR Cite
NPRM	01/26/96	61 FR 2584
Final Rule	05/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 2751

Agency Contact: Karen Rudek, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-1682

RIN: 2050-AD03

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)**

Long-Term Actions

3510. HAZARDOUS WASTE STORAGE AND DISPOSAL REGULATION RELATED TO LOW LEVEL MIXED WASTE; PROPOSED MODIFICATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 261.4; 40 CFR 262.34

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
Final Rule	04/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Rajani Joglekar
Phone: 703 308-8806
Fax: 703 308-7903
Email: joglekar.rajani@epamail.epa.gov

RIN: 2050-AE45

3511. • IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; INORGANIC CHEMICAL INDUSTRY WASTES; AND CERCLA HAZARDOUS SUBSTANCE DESIGNATION AND REPORTABLE QUANTITIES

Priority: Other Significant

Legal Authority: 42 USC 6901 to 6992(k)

CFR Citation: 40 CFR 261; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 271; 40 CFR 302

Legal Deadline:
NPRM, Judicial, June 30, 2000.
Final, Judicial, August 21, 2001.

Abstract: EPA, under an Environmental Defense Fund settlement agreement, will amend, if necessary, the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) to reduce hazards to human health and the environment from inorganic chemical industry wastes. The wastes to be studied include: sodium dichromate production wastes, wastes from the dry process for manufacturing phosphoric acid, phosphorus trichloride production wastes, phosphorus pentasulfide production wastes, wastes from the production of sodium phosphate from wet process phosphoric acid, sodium chlorate production wastes, antimony oxide production wastes, cadmium pigments production wastes, barium carbonate production wastes, potassium dichromate production wastes, phenyl

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Long-Term Actions

mercuric acetate production wastes, boric acid production wastes, inorganic hydrogen cyanide production wastes, and titanium dioxide production wastes (except for chloride process waste solids). This study is proposed under the authority of sections 3001(e)(2) of RCRA which directs EPA to make a hazardous waste listing determination for inorganic chemical wastes. After an extensive study of the waste streams of the above chemical industry processes, including characterization of the wastes generated and a risk assessment evaluating plausible mismanagement scenarios, EPA will propose which of the above wastes, if any, should be listed as a hazardous waste under 40 CFR part 261.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
Final Rule	08/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 229 Miscellaneous Textile Goods; 281 Industrial Inorganic Chemicals; 287 Agricultural Chemicals; 311 Leather Tanning and Finishing

Additional Information: SAN No. 4083

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0458
Fax: 703 308-0522
Email: carrell.anthony@epamail.epa.gov
Eric T. Levy, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-3540

RIN: 2050-AE49

3512. DELETION OF SACCHARIN FROM THE LIST OF HAZARDOUS WASTES UNDER RCRA AND THE LIST OF HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 40 CFR 261.33(f); 40 CFR 261; 40 CFR 302.4

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Wanda Levine
Phone: 703 308-0438

RIN: 2050-AD45

3513. HAZARDOUS WASTE MANAGEMENT SYSTEM: SLAG RESIDUES DERIVED FROM HIGH TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F0006 WASTES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261; 40 CFR 266

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Narendra Chaudhari
Phone: 703 308-0454

RIN: 2050-AE15

3514. HAZARDOUS WASTE IDENTIFICATION; RECYCLED USED OIL MANAGEMENT STANDARDS

Priority: Other Significant

CFR Citation: 40 CFR 279

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Tom Rinehart
Phone: 703 308-4309

RIN: 2050-AE28

3515. PAINT MANUFACTURING WASTES LISTING: HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 261; 40 CFR 271; 40 CFR 302

Timetable:

Action	Date	FR Cite
NPRM	02/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Cate Jenkins
Phone: 703 308-0453
Fax: 703 308-0514

RIN: 2050-AE32

3516. REVIEW OF TOXICITY CHARACTERISTIC LEVEL FOR SILVER UNDER THE RESOURCE CONSERVATION RECOVERY ACT (RCRA)

Priority: Info./Admin./Other

CFR Citation: 40 CFR 261; 40 CFR 268

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Tamara Irvin
Phone: 703 308-8807
Fax: 703 308-0522

RIN: 2050-AE37

3517. CHLORINATED ALIPHATICS LISTING DETERMINATION

Priority: Other Significant

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Wanda Levine
Phone: 703 308-0438

RIN: 2050-AD85

3518. HAZARDOUS WASTE IDENTIFICATION RULE (HWIR): IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—RCRA

Long-Term Actions

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 268

Timetable:

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawn	10/30/92	57 FR 49280
NPRM Reproposal	12/21/95	60 FR 66344
NPRM Reproposal	10/00/99	
Final Rule	04/00/01	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Tracy Atagi
Phone: 703 308-8672

RIN: 2050-AE07

3519. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, AND DEBRIS

Priority: Other Significant

CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Rule	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Heffelfinger
Phone: 703 603-7157

RIN: 2050-AD69

3520. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Other Significant

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
Notice of Availability	02/12/93	58 FR 8273
Regulatory Determination (Phase I Four Fossil Fuel Wastes)	08/09/93	58 FR 42466
Regulatory Determination (Phase II Remaining Wastes)	04/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dennis Ruddy
Phone: 703 308-8430

RIN: 2050-AD91

3521. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES - FINANCIAL RESPONSIBILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 280

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

Agency Contact: Mark Barolo
Phone: 703 603-7141

RIN: 2050-AC15

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)**

Completed Actions

3522. FINANCIAL ASSURANCE MECHANISMS FOR CORPORATE OWNERS AND OPERATORS OF MSWLFs

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 258

Completed:

Reason	Date	FR Cite
Final Action	04/10/98	63 FR 17706
Final Action Effective	04/10/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dale Ruhter
Phone: 703 308-8192

RIN: 2050-AD77

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Oil Pollution Act (OPA)**

Final Rule Stage

3523. OIL POLLUTION PREVENTION REGULATION: REVISIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321 Clean Water Act sec 311(j)(l)(C)

CFR Citation: 40 CFR 112

Legal Deadline: None

Abstract: Following a major inland oil spill with substantial environmental impacts (i.e., Ashland Oil in Floreffe, PA, in January 1988), an interagency task force recommended steps to improve EPA's oil spill prevention program (40 CFR part 112). This program requires oil storage facilities to prevent and contain discharges that could reach waters of the United States.

On October 22, 1991, the Agency proposed revisions to implement some of the task force recommendations and on February 17, 1993, the Agency proposed further clarifications and technical changes to the spill prevention regulations. This action supplements the 1991 and 1993 proposed revisions, and proposes to reduce burdens associated with the rule by reducing the recordkeeping provisions or exempting some facilities from some recordkeeping requirements.

EPA—OPA

Final Rule Stage

In proposing these burden reductions, EPA will consider available data on how factors, such as facility type, size, throughput, and location, may affect the threat of discharging oil to waters of the United States.

Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612

Action	Date	FR Cite
NPRM	02/17/93	58 FR 8824
Supplemental NPRM	12/02/97	62 FR 63812
Final Rule	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2634

Agency Contact: Hugo Fleischman, Environmental Protection Agency, Solid Waste and Emergency Response, 5203G, Washington, DC 20460
Phone: 703 603-8769

RIN: 2050-AC62

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Oil Pollution Act (OPA)**

Long-Term Actions

3524. FACILITY RESPONSE PLANNING FOR DELEGATED OFFSHORE FACILITIES

Priority: Other Significant

CFR Citation: 40 CFR 112

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Dana Stalcup
Phone: 703 603-8735

RIN: 2050-AE18

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Comprehensive Environmental Response, Compensation and Liability Act**

Proposed Rule Stage

3525. STREAMLINING THE PREAUTHORIZATION MIXED FUNDING FOR APPLICATION AND IMPLEMENTATION OF CLAIMS AGAINST SUPERFUND

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9601

CFR Citation: 40 CFR 307

Legal Deadline: None

Abstract: Current regulations at 40 CFR part 307 provide for the preauthorization of claims against the Superfund in instances where the Agency makes a determination that mixed funding is appropriate. This process has been labeled by many stakeholders as overly burdensome. The Agency has reviewed the current process in order to identify areas in which burdens may be lessened and requirements may be streamlined. As a result, the Agency proposes to amend the current regulation to: streamline the application process by eliminating duplicative information requirements; minimize the requirements related to management, oversight, and reporting of the cleanup, by removing the requirement to be guided by the

Federal Acquisition Requirements, and replacing the requirement of maximum free and open competition with a bright-line standard; allow claimants to provide independent certification of claims and supporting documentation; streamline the actual payment process by taking advantage of the electronic funds transfer process; ensure that cost recovery concerns are addressed by requiring claimants, within a settlement document, to reimburse the Fund for costs not recovered (only in the event cost recovery is initiated), due to claimants' failure to provide adequate documentary support or upon a determination that response costs expended (and claimed) were not reasonable or not incurred consistent with the NCP; and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3885

Agency Contact: Seth Bruckner, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
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RIN: 2050-AE38

3526. REPORTABLE QUANTITY ADJUSTMENTS FOR CARBAMATES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 96-510 Sec 102(a); PL 99-499

CFR Citation: 40 CFR 302

Legal Deadline: None

Abstract: EPA has listed carbamate waste streams as hazardous wastes under the Resource Conservation and Recovery Act (RCRA). RCRA listed wastes, by statute, automatically become hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and are assigned a one pound statutory reportable quantity (RQ) unless EPA adjusts them. These substances also become subject to reporting requirements under the Emergency Planning and Community Right to Know Act (EPCRA) with a one pound threshold. EPA, in this action, will propose RQ adjustments for the carbamates. Most RQ adjustments are

EPA—CERCLA

Proposed Rule Stage

expected to be greater than one pound. Raising the RQs for these substances would decrease the burden on 1) the regulated community for complying with the reporting requirements under CERCLA and EPCRA; 2) Federal, State, and local authorities for program implementation; and 3) Federal, State, or local authorities, if they release hazardous substances at the RQ level or greater.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3423

Agency Contact: Frank Avvisato, Environmental Protection Agency, Solid Waste and Emergency Response, 5202G, Washington, DC 20460
Phone: 703 603-8949

RIN: 2050-AE12

3527. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9605
Superfund (CERCLA) sec 105

CFR Citation: 40 CFR 300.425

Legal Deadline: None

Abstract: This action proposes to revise the sites included on the National Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
NPRM 17	08/23/94	59 FR 43314
Final 13	12/16/94	59 FR 65206
NPRM 18	02/13/95	60 FR 8212
Final 14	04/25/95	60 FR 20330

Action	Date	FR Cite
Final (Southern Shipbuilding)	05/26/95	60 FR 27896
Final 15	09/29/95	60 FR 50435
NPRM 19	10/02/95	60 FR 51390
NPRM 20	06/17/96	61 FR 30575
Final 16	06/17/96	61 FR 30510
NPRM 21	12/23/96	61 FR 67678
Final 17	12/23/96	61 FR 67656
NPRM 22	04/01/97	62 FR 15594
Final 18	04/01/97	62 FR 15572
NPRM 23	09/25/97	62 FR 50450
Final 19	09/25/97	62 FR 50442
NPRM 24	03/06/98	63 FR 11340
Final Rule 20	03/06/98	63 FR 11332
NPRM 25	05/00/98	
Final 21	05/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3439

Agency Contact: Terry Keidan, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
Phone: 703 603-8852

RIN: 2050-AD75

3528. GRANTS FOR TECHNICAL ASSISTANCE RULE REFORM - 40 CFR PART 35 SUBPART M

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9617(e)
Superfund (CERCLA) sec 117

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: The proposed revisions to the Technical Assistance Grants (TAG) Rule contain three main components that will simplify the application and administrative processes. The first component to the TAG Rule would eliminate the requirement that budget periods may not exceed 3 years. Budget periods would be negotiated with TAG applicants so that they have flexibility

to synchronize the period of time during which the recipient anticipates having a technical advisor involved with the schedule of work at a site. A second component would eliminate the 20 percent ceiling for administrative costs of a grant so that recipients do not need to differentiate between programmatic and administrative cost. This will reduce information collection burden. A third component to the TAG Rule is the elimination of the distinction between sole and multiple applicants, since both must meet identical criteria. The requirement that the applicant demonstrate that there is an actual or potential health threat posed to group members by the site would also be deleted since EPA believes that there is a potential health threat at all Superfund sites. EPA also believes that all Superfund sites pose potential economic and recreational threats to adjacent communities, and that there is no need for the applicant to provide evidence of those threats. Furthermore, EPA may already have sufficient information from various sources concerning the potential health, economic, and recreational threats posed by Superfund sites. This proposed rule also includes two new provisions that allow for communities to receive cash advances of up to \$5,000 and that permit communities to use up to \$1,000 for site-related training.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3806

Agency Contact: Lois Gartner, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
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RIN: 2050-AE33

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Comprehensive Environmental Response, Compensation and Liability Act

Final Rule Stage

**3529. • REVOCATION OF
 CAPROLACTAM'S DESIGNATION AS
 A HAZARDOUS SUBSTANCE UNDER
 CERCLA**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9602 et seq

CFR Citation: 40 CFR 302.4

Legal Deadline: None

Abstract: The purpose of this rulemaking is to give notice that caprolactam is no longer a designated CERCLA hazardous substance. When the Clean Air Act (CAA) section 112 listed caprolactam as a hazardous air pollutant, caprolactam became designated as a CERCLA hazardous substance under section 101(14) and 40

CFR 302.4(a). In response to a petition filed by Allied Signal, Inc., BASF Corporation, and DSM Chemicals North America, the Agency made a determination pursuant to CAA section 112(b)(3)(C) that there are adequate data on the health and environmental effects of caprolactam to determine that emissions, ambient concentrations, bioaccumulation, or deposition of the compound may not be reasonably anticipated to cause adverse human health or environmental effects. Caprolactam is no longer listed as a CAA section 112 hazardous air pollutant and also does not appear in any regulations designating as hazardous substances referred to in section 101(14) of CERCLA (exclusive

of section 101(14)(B)). In this regulation, the Agency is revoking caprolactam's designation as a hazardous substance under CERCLA.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4075

Agency Contact: Lynn M. Beasley,
 Environmental Protection Agency,
 Solid Waste and Emergency Response,
 5204G, Washington, DC 20460
 Phone: 703 603-9086

RIN: 2050-AE48

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Comprehensive Environmental Response, Compensation and Liability Act

Long-Term Actions

**3530. REPORTING EXEMPTIONS FOR
 FEDERALLY-PERMITTED RELEASES
 OF HAZARDOUS SUBSTANCES**

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 117; 40 CFR 302;
40 CFR 355**Timetable:**

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
 Phone: 703 603-9086

RIN: 2050-AB82

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
 Phone: 703 603-9086

RIN: 2050-AE20

**3531. REPORTABLE QUANTITY
 ADJUSTMENT FOR RADON-222**

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 302

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Comprehensive Environmental Response, Compensation and Liability Act

Completed Actions

**3532. REVISION OF THE LOCAL
 GOVERNMENT REIMBURSEMENT
 REGULATION**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 310

Completed:

Reason	Date	FR Cite
Final Action	02/18/98	63 FR 8284

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, Tribal, Federal

Agency Contact: Lisa Boynton
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 Fax: 703 603-9012

RIN: 2050-AE36

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 302.6(c); 40 CFR 355.40(a)(2)(vi)

Completed:

Reason	Date	FR Cite
Final Action	03/19/98	63 FR 13460

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Elizabeth Zeller
 Phone: 703 603-8744

RIN: 2050-AD46

**3533. ADMINISTRATIVE REPORTING
 EXEMPTIONS FOR CERTAIN
 RADIONUCLIDE RELEASES**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Clean Water Act (CWA)

3534. ● EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE ORE MINING AND DRESSING POINT SOURCE CATEGORY, GOLD PLACER MINE SUBCATEGORY (SECTION 610 REVIEW)**Priority:** Info./Admin./Other**Legal Authority:** 5 USC 610**CFR Citation:** Not yet determined**Legal Deadline:** None

Abstract: On May 24, 1988, EPA issued final effluent limitations for the Gold Placer Mine Subcategory (40 CFR part 440) under the authority of sections 301; 304(b), (c), and (e); 306; 307; and 501 of the Clean Water Act. In the 1988 promulgation notice, EPA noted that the effluent limitations were economically achievable for facilities of all sizes. Due to the large number of small entities covered by the final rule and EPA's concern about the economic impact on the small facilities, the final rule included a request for comments concerning the impact on small mines. After evaluating all of the comments and data submitted during this comment period, the Agency reaffirmed the conclusions regarding economic achievability. In January 1989, EPA published a notice of the Agency's response to the comments and the Agency's conclusion not to modify the final rule.

This new action is a review of the final rule as required by section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the Placer Mine effluent guidelines should be continued without change, or should be amended or rescinded, to minimize economic impacts on small entities while still complying with the provisions of the Clean Water Act. In reviewing this final rule to minimize any significant economic impacts, EPA will consider, and solicits comment on, the following factors: (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates or conflicts with other Federal, State, or local

government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

EPA continues to view the effluent limitations for the Gold Placer Mine Subcategory as a necessary component of the comprehensive program to restore and maintain the quality of our Nation's waters. EPA intends to continue to require compliance with the regulation. Until and unless the Agency modifies the rule, the discharges described in 40 CFR 440.140 remain subject to the final rule.

Timetable:

Action	Date	FR Cite
End Review	03/00/99	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Sectors Affected:** 104 Gold and Silver Ores**Additional Information:** SAN No. 4133

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RIN: 2040-AD13**3535. WATER QUALITY STANDARDS REGULATION—REVISION****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1313 Clean Water Act sec 303(c)**CFR Citation:** 40 CFR 131**Legal Deadline:** None

Abstract: Water quality standards set by States and Indian Tribes establish the water quality goals for surface waters of the U.S. and the means by

which attainment of these goals will be measured and assured. They are the foundation for protecting water quality and related public health and welfare and the ecological health of the nation's waters. Water quality standards regulations govern the development, review and revision of water quality standards under section 303 of the Clean Water Act by States and Indian Tribes and the review and approval of those standards by EPA. The ANPRM is a review of the water quality standards regulation designed to determine what changes to the regulation should be made to reflect the experience gained in the program by EPA, States, Tribes, and interested parties. All major components of the Water Quality Standards Program will be reviewed for potential regulatory and implementation improvements, to provide increased flexibility where appropriate, and further strengthen the Standards Program through use of scientific advances as a key element of watershed-based water quality protection and management. Issues to be addressed include: establishing and revising waterbody use designations, development and implementation of water quality criteria including biological and sediment quality criteria, antidegradation policies and procedures, mixing zone policies and procedures, and EPA's policy of independent application of criteria and assessment methods.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/98	
NPRM	03/00/99	
Final Rule	03/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3662

Agency Contact: Robert Wood, Environmental Protection Agency, Water, 4305, Washington, DC 20460
Phone: 202 260-9536

RIN: 2040-AC56

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Clean Water Act (CWA)

3536. STREAMLINING 301(H) WAIVER RENEWAL REQUIREMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1311 CWA sec 301; 33 USC 1361(a) CWA sec 501(a)**CFR Citation:** 40 CFR 125 subpart G**Legal Deadline:** None

Abstract: EPA is proposing an amendment to the regulations contained in 40 CFR part 125, subpart G. These regulations implement Section 301(h) of the Clean Water Act, 33 USC section 1311(h). Section 301(h) provides publicly owned treatment works (POTWs) discharging to marine waters an opportunity to obtain a modification of secondary treatment requirements if they demonstrate to EPA that they comply with a number of criteria aimed at protecting the marine environment. This proposal is designed to streamline the renewal process for POTWs with 301(h) modified permits. The action would eliminate unnecessary paperwork. It would specify that a completed application would not be required for renewals in cases where EPA already has the required information. Additional information would only be required as necessary to determine ongoing compliance with the 301(h) criteria. This regulation should reduce paperwork submissions from municipalities, which should save time and resources.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	02/00/99	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 3804

Agency Contact: John Lishman, Environmental Protection Agency, Water, 4504F, Washington, DC 20460
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RIN: 2040-AC89**3537. UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS - PHASE I****Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Water Act sec 312(n) as amended**CFR Citation:** 40 CFR 140**Legal Deadline:**

Final, Statutory, February 10, 1998.

Abstract: The 1996 Defense Authorization Act authorizes EPA and the Navy, in consultation with other Federal agencies and affected States, to develop Uniform National Discharge Standards (UNDS) for discharges from armed forces vessels. These regulations will enable the Navy to design vessels to one protective uniform standard, instead of attempting to conform to diverse State standards. Promulgation of uniform standards may result in innovative waste management technologies that can be transferred to the private sector. The first phase of the legislation requires promulgation of joint regulations that signify which discharges require regulation, which entail the use of marine pollution control devices, as well as those which will not require regulation. Marine pollution control devices may be a piece of equipment designed to control a particular waste stream, or a management practice that would reduce the impacts of a discharge. The Navy and EPA will determine the nature and environmental effects of vessel discharges, as well as the practicability of installing marine pollution control devices for those discharges that require regulation. This regulation only applies to vessels of the armed forces, and therefore will have no impact on small businesses. State governments will be involved in the rulemaking process as this rule may impact State standards, if any exist, by taking precedence over those standards for vessels of the armed forces. The uniform national standards proposed by this action will regulate those liquid vessel discharges that would have adverse impacts on the marine environment. If there is new information that suggests the standard should be changed, a State may petition for review any standard promulgated under this action.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	01/00/99	

Small Entities Affected: None**Government Levels Affected:** State, Federal**Additional Information:** SAN No. 3925

Agency Contact: Elizabeth Beuring, Environmental Protection Agency, Water, 4504F, Washington, DC 20460
Phone: 202 260-8484

RIN: 2040-AC96**3538. • REVISIONS TO EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE OIL AND GAS EXTRACTION POINT SOURCE CATEGORY****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1361**CFR Citation:** 40 CFR 435**Legal Deadline:**NPRM, Judicial, December 1998.
Final, Judicial, December 2000.

Abstract: This regulatory action will establish effluent limitations for the use of synthetic-based drilling fluids (SBF). Oil and Gas Extraction is covered by existing effluent guidelines at 40 CFR part 435. However, the SBFs are a new technology not addressed in the guidelines, and applying the existing regulations which were developed for water-based and oil-based drilling fluids is not appropriate. The use of SBFs presents an opportunity for environmental gain. On a drilling performance basis, SBFs replace oil-based drilling fluids, but unlike oil-based drilling fluids, SBFs are free of aromatic hydrocarbon priority pollutants, exhibit greatly reduced toxicity, biodegrade relatively rapidly, and do not bioaccumulate. Compared to water-based drilling fluids, SBFs have reduced aquatic toxicity and lower discharge volumes resulting in lower toxic metals discharge. To realize the potential environmental gain, new guidelines specific to the SBFs are necessary to minimize the wastestream volume and control potential contaminants, toxicity, biodegradation, and bioaccumulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Rule	12/00/00	

Small Entities Affected: None**Government Levels Affected:** State, Federal**Sectors Affected:** 13 Oil and Gas Extraction**Additional Information:** SAN No. 4086

EPA—CWA

Proposed Rule Stage

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RIN: 2040-AD14

3539. • 1998 EFFLUENT GUIDELINES PLAN

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(m) Clean Water Act

CFR Citation: Not yet determined

Legal Deadline:

Other, Statutory, August 28, 1998, Final Plan.

Abstract: The Effluent Guidelines Plan is published biennially as required by the Clean Water Act and a consent decree (NRDC et al v. Browner). The Plan discusses the status of ongoing rulemakings, development of additional rules and preliminary studies. The Plan sets forth EPA's rationale for the selection of particular industries as candidates for new or revised effluent guidelines.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4124

Agency Contact: Eric Strassler,
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RIN: 2040-AD16

3540. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY

Priority: Other Significant

Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306; 33 USC 1317 Clean Water Act sec 307; 33 USC 1361 Clean Water Act sec 501

CFR Citation: 40 CFR 437

Legal Deadline:

Final, Judicial, August 15, 1999.

Abstract: Centralized Waste Treatment (CWT) facilities receive hazardous and

non-hazardous waste from off-site for treatment or recovery (excluding solvent recovery). EPA is developing effluent limitations based on Best Available Technology (BAT), Best Practicable Control Technology (BPT), New Source Performance Standards (NSPS), Pretreatment Standards for Existing Sources (PSES), and Pretreatment Standards for New Sources (PSNS). This rule was formerly titled Waste Treatment, Phase I.

Timetable:

Action	Date	FR Cite
NPRM	01/27/95	60 FR 5464
Reproposal	08/00/98	
Final Rule	08/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2805

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RIN: 2040-AB78

3541. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1317 Clean Water Act sec 307; 33 USC 1314 Clean Water Act sec 304; 33 USC 1361 Clean Water Act sec 501; 33 USC 1316 Clean Water Act sec 306

CFR Citation: 40 CFR 442

Legal Deadline:

NPRM, Judicial, May 15, 1998.
Final, Judicial, June 30, 2000.

Abstract: EPA will propose effluent limitation guidelines and pretreatment standards for transportation equipment cleaning facilities, which clean the interiors of tank trucks, rail tank cars, intermodal tank containers, ocean/sea tankers, tank barges, closed-top hopper trucks, closed-top hopper rail cars, and closed-top hopper barges.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Rule	06/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3204

Agency Contact: John Tinger,
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RIN: 2040-AB98

3542. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 405 THROUGH 471

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251 Clean Water Act sec 101; 33 USC 1311 Clean Water Act sec 301; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306; 33 USC 1317 Clean Water Act sec 307

CFR Citation: 40 CFR 405 to 471 "as amended"

Legal Deadline: None

Abstract: This regulatory action would re-format the existing Effluent Limitation Guidelines and Standards found in 40 CFR parts 405 through 471 without making any changes to the requirements therein. The purpose of this action is to streamline the CFR and establish a format that is easier for Federal, State, and local regulators and the regulated community to read and understand. This action does not require State, local, or tribal governments or the regulated community to do anything beyond what is currently required. This rule, will, therefore, not impose any economic burden.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Rule	07/00/99	

EPA—CWA

Proposed Rule Stage

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3767
Agency Contact: Hugh Wise, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AC79

3543. EFFLUENT GUIDELINES AND STANDARDS FOR IRON AND STEEL MANUFACTURING POINT SOURCE CATEGORY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306; 33 USC 1317 Clean Water Act sec 307; 33 USC 1362 Clean Water Act sec 502
CFR Citation: 40 CFR 420
Legal Deadline: NPRM, Judicial, December 31, 1998. Final, Judicial, December 31, 2000.
Abstract: EPA will propose amendments to the effluent limitations guidelines for the Iron and Steel Manufacturing Point Source Category to reflect significant industry changes related to consolidation and modernization within the U.S. steelmaking industry as well as advances in manufacturing technologies, in process pollution prevention, water conservation practices, and end-of-pipe wastewater treatment. EPA is negotiating an extension to the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Rule	12/00/00	

Small Entities Affected: Undetermined
Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 3833
Agency Contact: George Jett, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AC90

3544. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY; AMENDMENT

Priority: Substantive, Nonsignificant
Legal Authority: 33 USC 1311 Clean Water Act sec 301 ; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306 ; 33 USC 1317 Clean Water Act sec 307 ; 33 USC 1361 Clean Water Act sec 501
CFR Citation: 40 CFR 430

Legal Deadline: None
Abstract: This proposal requires those mills that choose to enroll in the Voluntary Advanced Technology Incentives Program to submit a plan (called a "Milestone Plan") specifying research, construction, and other activities leading to achievement of the advanced technology effluent limits, with accompanying dates for achieving these milestones. This proposed rule also provides for a certification in lieu of monitoring for one pollutant, chloroform, for mills using certain processes, which are specified in this proposal. Basically, this proposal applies to elemental chlorine-free mills, allowing them to submit a certification based on process changes and operational controls to demonstrate compliance with the chloroform limitation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	10/00/98	

Small Entities Affected: Businesses
Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 4039
Agency Contact: Donald Anderson, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AD05

3545. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant
Legal Authority: 33 USC 1314(h) Clean Water Act sec 304(h); 33 USC 1361(a) Clean Water Act sec 501

CFR Citation: 40 CFR 136
Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 136 to approve new EPA methods for the determination of trace metals at EPA's water quality criteria levels. These methods are necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. Water quality-based permits are necessary when technology-based controls do not allow a particular water body to meet the State's designated water quality standard. Because the methods currently approved under 40 CFR part 136 were designed to meet technology-based permitting needs, and because these technology-based levels are as much as 280 times higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

This action would not have a significant economic impact on state, local, or tribal governments or small businesses. This regulation would approve a test procedure to be used in measuring trace metals under the National Pollutant Discharge Elimination System unless the Regional Administrator approves an alternative procedure.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Final Rule	10/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations
Government Levels Affected: State, Local, Tribal, Federal
Additional Information: SAN No. 3702

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RIN: 2040-AC75

EPA—CWA

Proposed Rule Stage

3546. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF CYANIDE UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) Clean Water Act sec 304(h); 33 USC 1361(a) Clean Water Act sec 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 to approve new procedures for the analysis of cyanide under the Clean Water Act.

“Cyanides” is a toxic pollutant as defined in the Clean Water Act section 307 and “total cyanide” is a priority pollutant listed at 40 CFR 423, appendix A. The term total cyanide refers to all forms of cyanide, including those forms that are readily bioavailable such as free and weakly bound cyanide and those forms that are less bioavailable because the cyanide is strongly bound to a metal ion. Method 335.1, Cyanides Amenable to Chlorination (CATC), is currently approved for the measurement of free and weakly complexed forms of cyanides. Methods 335.2 and 335.3 are currently approved for measurement of total cyanides.

Subsequent to approval of Methods 335.1 and 335.3 under 40 CFR part 136, new data suggests that these methods may not accurately reflect actual cyanide concentrations found in wastewaters. Additionally, the approved analytical methods call for hour-long distillation, chlorination requiring an hour, and two separate aliquots of a given sample distilled and analyzed independently to determine the CATC levels. In order to improve the accuracy and reduce the costs of cyanide measurements, EPA plans to develop and propose new test procedures for the determination of cyanides.

This action will not have a significant economic impact on state, local or tribal governments or small businesses. This regulation approves a test procedure to be used in measuring cyanide under the National Pollutant Discharge Elimination System unless the Regional Administrator approves an alternative test procedure.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	10/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3701

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RIN: 2040-AC76

3547. TEST PROCEDURES FOR THE ANALYSIS OF MERCURY UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq Clean Water Act sec 304 (h); 33 USC 1314(h) Clean Water Act sec 501 (a); 33 USC 1361(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would amend the “Guidelines Establishing Test Procedures for the Analysis of Pollutants” under 40 CFR Part 136 to approve Method 1631 for the determination of mercury at EPA’s recommended water quality criteria levels. This method is necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. Water quality-based permits are necessary when technology-based controls do not allow a particular water body to meet the State’s designated water quality standard. Because the methods currently approved under 40 CFR part 136 were designed to meet technology-based permitting needs, and because these technology-based levels are as much as 280 times higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	02/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4048

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RIN: 2040-AD07

3548. TEST PROCEDURES FOR THE ANALYSIS OF CO-PLANAR AND MONO-ORTHO-SUBSTITUTED POLYCHLORINATED BIPHENYLS (PCBS) UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq Clean Water Act sec 304 (h); 33 USC 1314(h) Clean Water Act sec 501 (a); 33 USC 1361(a)

CFR Citation: 40 CFR 136; 40 CFR 503

Legal Deadline: None

Abstract: This regulatory action would propose to amend the “Guidelines Establishing Test Procedures for the Analysis of Pollutants” under 40 CFR part 136 to approve EPA Method 1668 for the congener-specific determination of co-planar and mono-ortho-substituted polychlorinated biphenyls (PCBs). This method is necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. Water quality-based permits are necessary when technology-based controls do not allow a particular water body to meet the state’s designated water quality standard. At present there is no EPA analytical method for determination of these PCBs, therefore, approval of a new EPA test procedure is necessary.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Rule	11/00/99	

EPA—CWA

Proposed Rule Stage

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4049

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RIN: 2040-AD09

3549. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C—WASTEWATER DISCHARGE INFORMATION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1342 Clean Water Act sec 402

CFR Citation: 40 CFR 122.21(g)

Legal Deadline: None

Abstract: All existing manufacturing, commercial, mining, and silvicultural operations requiring a National Pollutant Discharge Elimination System (NPDES) permit must submit an application in order to obtain a permit. The existing industrial application form has not been revised since 1984 and needs to be updated to reflect statutory and regulatory changes in the NPDES program, advances in analytical methods and an increased emphasis on toxic control. The purpose of this action is to revise and consolidate existing application forms and requirements for industries, and to streamline the permit application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while

providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency will seek to allow the use of existing data to the extent possible and to avoid unnecessary reporting. The Agency is also considering how to utilize electronic data submission. Although these forms will increase the burden on permittees not already required to provide these data, many other permittees are already required to submit the data. The Agency is reviewing ways to minimize the need for information from small dischargers, including tribal facilities. EPA will also seek to minimize and reduce the burden on States through improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Rule	09/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3234

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RIN: 2040-AC26

3550. STREAMLINING THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1314 Clean Water Act sec 304; 33 USC 1317 Clean Water Act sec 307; 33 USC 402(b)(8) Clean Water Act sec 402(b)(8); 33 USC 1361 Clean Water Act sec 501

CFR Citation: 40 CFR 403

Legal Deadline: None

Abstract: The National Pretreatment Program was established in 1972. The Office of Water is exploring ways to reduce federally mandated activities under the program that don't result in

benefits to the environment and to improve program efficiencies. For example, this rule will consider appropriate exclusions or variable requirements for numerous smaller facilities that contribute insignificant amounts of pollutants.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Rule	06/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3663

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RIN: 2040-AC58

3551. NPDES STREAMLINING RULE—ROUND III

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1312 Clean Water Act sec 302; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306; 33 USC 1318 Clean Water Act sec 308; 33 USC 1342 Clean Water Act sec 402; 33 USC 1361 Clean Water Act sec 501

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124

Legal Deadline: None

Abstract: On February 21, 1995, President Clinton issued a directive requesting that Federal agencies review their regulatory programs to eliminate any obsolete, ineffective, or unduly burdensome regulations. In response to that directive, EPA plans to issue several rulemaking packages to revise NPDES requirements in parts 122, 123, and 124 to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures. Revisions under consideration in this rule include adding additional permit modifications that can be considered minor

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modifications at 122.63, and changes to requirements concerning EPAs review of State permits. Other revisions may be considered as work on this rule progresses. This rulemaking is expected to affect entities which implement the NPDES program or are regulated by it. This includes small businesses and State, Tribal and local governments. Most of these effects are expected to be deregulatory or streamlining in nature. This rulemaking is in the very early stages.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Rule	09/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3786

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RIN: 2040-AC84

3552. REVISIONS TO NPDES REQUIREMENTS FOR COMPLIANCE REPORTING AND COLLECTION SYSTEM DISCHARGES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1318 Clean Water Act sec 308; 33 USC 1342 Clean Water Act sec 402; 33 USC 1361 Clean Water Act sec 501(a)

CFR Citation: 40 CFR 122.41

Legal Deadline: None

Abstract: EPA is proposing revisions to the NPDES regulations. The proposed revisions would clarify how standard noncompliance reporting requirements and prohibition/defense provisions in NPDES permits apply to discharges from sanitary sewer and combined sewer collection systems owned and operated by municipal entities. These proposed revisions respond to recommendations made by a FACA Subcommittee (under the Urban Wet Weather Federal Advisory Committee) that was convened by USEPA to provide recommendations for improving NPDES program implementation efforts which address sanitary sewer overflows (SSOs) and

sanitary sewer operation, management, and maintenance. The proposed revisions would address combined sewers as well as separate sanitary sewers in order to avoid confusion among the regulatory community. Failures in sewer collection systems can result in discharges of wastewater containing raw sewage to surface waters. Pathogens and other pollutants in these discharges can create significant health and environmental risks. The SSO FACA Subcommittee identified inconsistent application of several key NPDES provisions to SSOs as a major implementation problem. There is substantial agreement among the SSO FACA Subcommittee that EPA should modify the NPDES regulations to clarify how noncompliance reporting and prohibition/defense provisions apply to dischargers to waters of the U.S. from a sanitary sewer collection system.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	08/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3999

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RIN: 2040-AD02

3553. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE - PHASE TWO

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251 Clean Water Act sec 101; 33 USC 1345 Clean Water Act sec 405

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal

Regulation in two phases (i.e., Phase One and Phase Two). Phase Two will address issues presented by judicial remand of specific requirements in the final rule (part 503) and requests for reconsideration and will modify certain technical requirements. The proposed changes will impact Federal, State, local and tribal governments as well as small businesses. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Rule	09/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497

Agency Contact: Robert Southworth, Environmental Protection Agency, Water, 4304, Washington, DC 20460
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RIN: 2040-AC53

3554. TEST PROCEDURES FOR THE ANALYSIS OF CRYPTOSPORIDIUM AND GIARDIA UNDER THE SAFE DRINKING WATER AND CLEAN WATER ACTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq Clean Water Act sec 304 (h); 33 USC 1314(h) Clean Water Act sec 501 (a); 33 USC 1361 SDWA 1401; 42 USC 300f SDWA sec 1412; 42 USC 300g-1 SDWA sec 1413; 42 USC 300g-2 SDWA sec 1414; 42 USC 300g-3 SDWA sec 1415; 42 USC 300g-4 SDWA sec 1416; 42 USC 300g-5 SDWA sec 1445; 42 USC 300j-4 SDWA sec 1450; 42 USC 300j-9

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 40 CFR 141

Legal Deadline: None

Abstract: This regulatory action would propose to amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR part 136 and the analytical methods under 40 CFR part 141 to approve EPA Method 1622 for the detection of Cryptosporidium and Giardia in ambient waters and finished drinking water by filtration of a 10-L sample in laboratory, separation of target organisms from other debris using

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immunomagnetic separation, and detection of the organisms using immunofluorescence assay and differential interference contrast microscopy and confirmation examination of the organisms using vital dye stains. This method would be used by public water systems to collect occurrence and treatment data to characterize *Cryptosporidium* and *Giardia* in drinking water articulated in the National Primary Drinking Water Regulation: Monitoring Requirements for Public Drinking Water Supplies, as published in the Federal Register on May 14, 1996 (60FR24354), commonly referred to as the ICR Rule. EPA

expects that Method 1622 would increase recovery and would provide better precision than the method included in the ICR Rule, thus providing for more reliable data.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Rule	07/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4047

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RIN: 2040-AD08

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Clean Water Act (CWA)

3555. WATER QUALITY STANDARDS; ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1313 Clean Water Act sec 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: EPA is revising its rule promulgated on December 22, 1992, (National Toxics Rule or NTR) that established water quality criteria for 14 States that had failed to fully comply with section 303(2)(B) of the Clean Water Act. The NTR promulgated total recoverable metals criteria for 11 of these 14 States. In May 1995, EPA amended the materials criteria to reflect EPA's new policy to use dissolved metals criteria because they more accurately reflect the bioavailable fraction of waterborne metals for aquatic life.

The interim final rule was deregulatory in nature, but is not expected to impact the health of aquatic life in the water column. EPA expects the rule to result in less stringent permit limits and therefore a potential cost savings in wastewater treatment for dischargers of metals in the covered States. This

action makes the interim final rule final and is also deregulatory in nature.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/04/95	60 FR 22229
Final Rule	12/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3661

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RIN: 2040-AC55

3556. • GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT, PHASE TWO

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) Clean Water Act sec 304(h); 33 USC 1361(a) Clean Water Act sec 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action will amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR 136 to approve new procedures for the analysis of miscellaneous metals, anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water

quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. This action will not have a significant economic impact on state, local, or tribal governments, or small businesses. This regulation will approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure. This rulemaking will constitute the second of two segments of rulemaking initially proposed as one action.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Rule	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4089

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RIN: 2040-AD12

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3557. EFFLUENT GUIDELINES AND STANDARDS FOR THE PHARMACEUTICAL MANUFACTURING CATEGORY**Priority:** Other Significant**Legal Authority:** 33 USC 1311 Clean Water Act sec 301; 33 USC 1314 Clean Water Act sec 304; 33 USC 1316 Clean Water Act sec 306; 33 USC 1317 Clean Water Act sec 307; 33 USC 1361 Clean Water Act sec 501**CFR Citation:** 40 CFR 439**Legal Deadline:**

Final, Judicial, April 30, 1998.

Abstract: EPA is developing revised effluent limitation guidelines and standards for the pharmaceutical manufacturing industry, including limitations on toxic and non-conventional volatile organic pollutants. EPA intends to promulgate this rule concurrently with air emission standards. See separate entry for "NESHAP: Pharmaceuticals Production" (RIN 2060-AE83).**Timetable:**

Action	Date	FR Cite
NPRM (NSPS)	10/27/83	48 FR 49832
NPRM	05/02/95	60 FR 21592
Final Rule	07/00/98	

Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 1427**Agency Contact:** Frank Hund, Environmental Protection Agency, Water, 4303, Washington, DC 20460
Phone: 202 260-7182
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Email: hund.frank@epamail.epa.gov**RIN:** 2040-AA13**3558. EFFLUENT GUIDELINES AND STANDARDS FOR THE PESTICIDE CHEMICALS MANUFACTURING AMENDMENT; PRETREATMENT STANDARDS; NEW AND EXISTING SOURCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251**CFR Citation:** 40 CFR 455**Legal Deadline:** None**Abstract:** EPA has entered into a Settlement Agreement with American Cyanamid; the sole manufacturer of pendamethalin. Based on additional data, EPA has agreed to revise the

numerical limitation for new and existing facilities manufacturing pendamethalin. EPA will revise the limit to a slightly less stringent limit (i.e. from 1.17 x 10(-2)lb/1000lbs to 1.30 x 10(-2)lbs/1000lbs).

Timetable:

Action	Date	FR Cite
Direct Final	04/00/98	

Small Entities Affected: None**Government Levels Affected:** State**Sectors Affected:** 287 Agricultural Chemicals**Additional Information:** SAN No. 3995**Agency Contact:** Shari Zuskin, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AD01**3559. NPDES STREAMLINING RULE—ROUND II****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 33 USC 1311 Clean Water Act sec 301; 33 USC 1314 Clean Water Act sec 304; 33 USC 1312 Clean Water Act sec 302; 33 USC 1316 Clean Water Act sec 306; 33 USC 1318 Clean Water Act sec 308; 33 USC 1342 Clean Water Act sec 402; 33 USC 1361 Clean Water Act sec 501**CFR Citation:** 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 125**Legal Deadline:** None**Abstract:** On February 21, 1995, President Clinton issued a directive requesting that Federal agencies review their regulatory programs to eliminate any obsolete, ineffective, or unduly burdensome regulations. In response to that directive, the Office of Wastewater Management plans to issue a comprehensive rulemaking package revising certain NPDES requirements in parts 122, 123 and 124 to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures which do not provide any environmental benefits. Some of these revisions include: 1)

consolidating regulatory definitions; 2) removal of part 124 subpart F non-adversary panel hearings; 3) possible removal of storm water group application requirements; 4) streamlining permit termination procedures; and 5) removing Part 124 evidentiary hearing procedures.

This rulemaking is expected to affect entities who operate the NPDES program or who are regulated by it. This includes small businesses and State and local governments. Most of these effects are expected to be deregulatory or streamlining in nature.

Timetable:

Action	Date	FR Cite
NPRM	12/11/96	61 FR 65268
Final Rule	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3762**Agency Contact:** Thomas Charlton, Environmental Protection Agency, Water, 4203, Washington, DC 20460
Phone: 202 260-6960
Fax: 202 260-1460**RIN:** 2040-AC70**3560. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS FOR THE STATE OF CALIFORNIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1313 CWA 303**CFR Citation:** 40 CFR 131**Legal Deadline:** None**Abstract:** Several municipal entities and one industry in California sued the California State Water Resources Control Board (SWRCB) in State court over whether the SWRCB's water quality control plans for inland surface waters and enclosed bays and estuaries were adopted in compliance with authorizing State law. The court issued its final decision in March 1994; the Court agreed with the plaintiffs and found that the plans could not remain in effect. The SWRCB was ordered to rescind its plans which contain the State's numeric criteria for priority toxic pollutants. In the absence of State criteria, the Clean Water Act requires

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the Administrator to promulgate water quality criteria for priority toxic pollutants where EPA has issued section 304(a) criteria guidance when the discharge of such pollutants could reasonably be expected to interfere with the State's designated uses.

Timetable:

Action	Date	FR Cite
NPRM	08/05/97	62 FR 42160
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3504

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RIN: 2040-AC44

3561. GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) Clean Water Act sec 304(h); 33 USC 1361(a) Clean Water Act sec 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulation will amend the Guidelines establishing Test Procedures for the Analysis of Pollutants under section 304(h) of the Clean Water Act to replace existing gravimetric test procedures for the conventional pollutants, Oil and Grease (40 CFR 401.16) with EPA Method 1664 consistent with the Chlorofluorocarbon (CFC) phaseout requirements of the Clean Air Act Amendments of 1990. Method 1664 uses normal hexane (n-hexane) as the extraction solvent in place of 1,1,2-trichloro-1,2, 2-tribluoroethane (CFC-113; Freon-113), which is used in current 40 CFR 136 approved methods for the determination of oil and grease. Presently approved methods are EPA Method 413.1 in Methods for Chemical Analysis of Water and Wastes (EPA-600/4-79-020) and Method 5520B in Standard Methods for the Examination of Water and Wastewater, 18th edition. This proposal would withdraw approval of Methods 413.1 and 5520B

in order to avoid unacceptable inconsistency between results produced by these methods and the proposed Method 1664.

Timetable:

Action	Date	FR Cite
NPRM	01/23/96	61 FR 1730
Notice of Data Availability	10/02/97	62 FR 51621
Final Rule	05/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3617

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RIN: 2040-AC63

3562. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT, PHASE ONE

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) Clean Water Act sec 304(h); 33 USC 1361(a) Clean Water Act sec 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action will amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR 136 to approve new procedures for the analysis of miscellaneous metals, anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. This action will not have a significant economic impact on state, local, or tribal governments, or small businesses. This regulation will approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure. EPA plans to segment the rulemaking into two phases to

accommodate different amounts of data for the long list of compounds.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Rule	07/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3155

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AC95

3563. NPDES WASTEWATER PERMIT APPLICATION FORMS AND REGULATORY REVISIONS FOR MUNICIPAL DISCHARGES AND SEWAGE SLUDGE USE OR DISPOSAL

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1342 Clean Water Act sec 402; 33 USC 1314 Clean Water Act sec 304; 33 USC 1318 Clean Water Act sec 308; 33 USC 1345 Clean Water Act sec 405; 33 USC 1361 Clean Water Act sec 501

CFR Citation: 40 CFR 122.21(j); 40 CFR 122.21(q)

Legal Deadline: None

Abstract: The purpose of this action is to revise and consolidate existing application forms and requirements for Publicly Owned Treatment Works (POTWs) and other Treatment Works Treating Domestic Sewage (TWTDS), and to streamline the application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency seeks to allow the use of existing data

EPA—CWA

Final Rule Stage

and to avoid unnecessary reporting. The Agency is also considering how to utilize electronic data submission. Although these forms will increase the burden on permittees not already required to submit these data, the Agency is minimizing the need for information from small entities, including tribal facilities. The burden on States would be minimized because of improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	12/06/95	60 FR 62545
Final Rule	07/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2501

Agency Contact: Robin Danesi, Environmental Protection Agency, Water, 4203, Washington, DC 20460
Phone: 202 260-2991

RIN: 2040-AB39

3564. COMPREHENSIVE NPDES STORMWATER PHASE II REGULATIONS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 33 USC 1311 Clean Water Act sec 301; 33 USC 1318 Clean Water Act sec 308; 33 USC 1342 Clean Water Act sec 402; 33 USC 1361 Clean Water Act sec 501

CFR Citation: 40 CFR 122; 40 CFR 123

Legal Deadline:

NPRM, Judicial, November 25, 1997. Final, Judicial, March 1, 1999.

Abstract: EPA proposed changes to the stormwater regulations for the remaining unregulated dischargers that require regulation. Also known as Phase II dischargers, these sources potentially could have included all stormwater discharges from municipal separate storm sewer systems serving populations of less than 100,000 and construction activities resulting in the land disturbance of less than 5 acres. Data collected under sections 305(b) and 402(p)(5) of the CWA indicate that benefits will be derived from addressing these discharges under the Phase II program. Urban stormwater runoff is a real cause of water quality use impairment. EPA has invited

stakeholders to participate in the development of comprehensive Phase II rules under the Federal Advisory Committee Act (FACA). This FACA subcommittee is assisting in the development of the rule. Currently, all Phase II dischargers are required to have stormwater permits by 2001. EPA proposed to limit the universe of designated Phase II sources and proposed an approach that would promote the use of general permits for most Phase II sources. The proposed changes would also provide regulatory relief by waiving Phase I facilities that have no exposure to stormwater from otherwise applicable permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/09/98	63 FR 1535
Final Rule	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3785

Agency Contact: George Utting, Environmental Protection Agency, Water, 4203, Washington, DC 20460
Phone: 202 260-9530
Fax: 202 260-1460

RIN: 2040-AC82

3565. ESTABLISHMENT OF ELECTRONIC REPORTING FOR NPDES PERMITTEES

Priority: Substantive, Nonsignificant

Legal Authority: CWA 301; CWA 304(i); CWA 308; CWA 402; CWA 501

CFR Citation: 40 CFR 122.22; 40 CFR 122.41(k); 40 CFR 122.41(j); 40 CFR 122.41(l); 40 CFR 122.63

Legal Deadline: None

Abstract: This action would identify requirements for NPDES permittees that elect to submit NPDES Discharge Monitoring Reports Electronically, including requirements for the use of personal identification numbers (PINs) or other mechanisms such as electronic signatures, recordkeeping, Terms and Conditions Agreements, and certifications. The rule will make incorporation of electronic reporting requirements into an NPDES permit a minor permit modification. This rule will enable implementation of

Electronic Data Interchange (EDI) for NPDES Discharge Monitoring Reports (DMRs). The Agency has developed and piloted an EDI process for DMRs based on its September 4, 1996 interim final policy for accepting filing of environmental reports via EDI. This action will not require the use of electronic reporting.

Timetable:

Action	Date	FR Cite
Direct Final	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4051

Agency Contact: Robin Danesi, Environmental Protection Agency, Water, 4203, Washington, DC 20460
Phone: 202 260-2991
Fax: 202 260-1460

RIN: 2040-AD11

3566. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE—PHASE ONE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251 Clean Water Act sec 101; 33 USC 1345 Clean Water Act sec 405

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal Regulation in two phases (i.e., Phase One and Phase Two). Phase I will respond to minor comments received on the Final Sewage Sludge Use or Disposal Round I Rule (part 503), correct some publication errors, and include some technical amendments. This action will modify the existing regulation to make the requirements for sewage sludge incinerators self-implementing and provide the regulated community flexibility in meeting other Part 503 requirements. The changes should not have any adverse impact on State, local, or tribal government or small businesses because no additional requirements are being imposed.

EPA—CWA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54771
Final Rule	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497

Agency Contact: Robert Southworth, Environmental Protection Agency, Water, 4304, Washington, DC 20460
Phone: 202 260-7157

RIN: 2040-AC29

3567. STREAMLINING THE STATE SEWAGE SLUDGE MANAGEMENT REGULATIONS

Priority: Other Significant

Legal Authority: 33 USC 1345(f) Clean Water Act sec 405(f)

CFR Citation: 40 CFR 123; 40 CFR 501

Legal Deadline: None

Abstract: The requirements for States seeking authorization of their sewage sludge programs are set out at 40 CFR parts 123 (for National Pollutant Discharge Elimination System (NPDES) programs) and 501 (for non-NPDES programs). These requirements were modeled on the NPDES requirements for authorization of wastewater effluent discharge programs. Many States manage sewage sludge through their solid waste programs, which are often structured differently from NPDES programs. As a result, States may not always be able to meet all the requirements of parts 123 or 501. The Agency wants States with well-run sewage sludge management programs to be eligible for authorization without having to make unnecessary administrative changes to their programs. Proposed changes would

streamline the existing regulations to ease the authorization process for States and ensure that decisions are made based on true environmental and public health considerations.

Timetable:

Action	Date	FR Cite
NPRM	03/11/97	62 FR 11270
Final Rule	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3788

Agency Contact: Wendy Bell, Environmental Protection Agency, Water, 4203, Washington, DC 20460
Phone: 202 260-9534

RIN: 2040-AC87

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Water Act (CWA)

3568. STREAMLINING REVISIONS TO THE WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 130

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Rule	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Amy Josin
Phone: 202 260-7058

RIN: 2040-AC65

3569. CLEAN WATER ACT DEFINITION OF THE WATERS OF THE UNITED STATES—ISOLATED WATERS AND ARTIFICIAL WETLANDS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 232

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Goodin
Phone: 202 260-9910

RIN: 2040-AB74

3570. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 230

Timetable:

Action	Date	FR Cite
NPRM	01/04/95	60 FR 419
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Goodin
Phone: 202 260-9910

RIN: 2040-AC14

3571. SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 132

Timetable:

Action	Date	FR Cite
NPRM	11/14/96	61 FR 58444
NPRM	12/16/96	61 FR 66007
Final Rule	00/00/00	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Mark Morris
Phone: 202 260-0312

RIN: 2040-AC97

3572. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASES I AND 2

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 438

Timetable:

Action	Date	FR Cite
NPRM (phase 1)	05/30/95	60 FR 28210

EPA—CWA

Long-Term Actions

Action	Date	FR Cite
NPRM (consolidated Phase 1 and 2)	10/00/00	
Final Rule	12/00/02	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Steven Geil
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RIN: 2040-AB79

3573. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES POINT SOURCE CATEGORY

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 441

Timetable:

Action	Date	FR Cite
NPRM	12/17/97	62 FR 66182
Final Rule	06/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Marta Jordan
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RIN: 2040-AB97

3574. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS

Priority: Other Significant

CFR Citation: 40 CFR 445

Timetable:

Action	Date	FR Cite
NPRM	02/06/98	63 FR 6426
Final Rule	11/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Mike Ebner
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RIN: 2040-AC23

3575. EFFLUENT GUIDELINES AND STANDARDS FOR INDUSTRIAL WASTE COMBUSTORS

Priority: Other Significant

CFR Citation: 40 CFR 444

Timetable:

Action	Date	FR Cite
NPRM	02/06/98	63 FR 6392
Final Rule	11/00/99	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Samantha Hopkins
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RIN: 2040-AD03

3576. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY, PHASE II

Priority: Other Significant

CFR Citation: 40 CFR 430

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Rule	02/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: J. Troy Swackhammer
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RIN: 2040-AD10

3577. GUIDELINES ESTABLISHING WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 136

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Rule	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William A. Telliard
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RIN: 2040-AC54

3578. INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 136

Timetable:

Action	Date	FR Cite
Direct Final	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William A. Telliard
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RIN: 2040-AC92

3579. STREAMLINED PROCEDURES AND GUIDANCE FOR APPROVING TEST PROCEDURES UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 136

Timetable:

Action	Date	FR Cite
NPRM	03/28/97	62 FR 61497
Final Rule	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2040-AC93

EPA—CWA

Long-Term Actions

3580. BEST TECHNOLOGY AVAILABLE (BTA) FOR COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 125; 40 CFR 401

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Rule	08/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal

Agency Contact: Deborah Nagle
Phone: 202 260-2656

RIN: 2040-AC34

3581. STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE (ROUND II)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 503

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Rule	12/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Robert Southworth
Phone: 202 260-7157

RIN: 2040-AC25

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Clean Water Act (CWA)**

Completed Actions

3582. CLARIFICATION OF THE APPLICATION REQUIREMENTS FOR STATES WANTING TO DESIGNATE DRINKING WATER INTAKE ZONES, THEREBY PROHIBITING THE DISCHARGE OF VESSEL SEWAGE WITHIN THOSE ZONES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 140

Completed:

Reason	Date	FR Cite
Final Action	01/08/98	63 FR 1318

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: James Woodley
Phone: 202 260-1998

RIN: 2040-AC61

3583. WITHDRAWAL OF AMENDMENT TO EFFLUENT GUIDELINES AND STANDARDS FOR ORE MINING AND DRESSING POINT SOURCE CATEGORY, NEW SOURCE PERFORMANCE STANDARDS

Priority: Info./Admin./Other

CFR Citation: 40 CFR 440

Completed:

Reason	Date	FR Cite
Final Action	01/16/98	63 FR 2646

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Ronald Kirby
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RIN: 2040-AC74

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Safe Drinking Water Act (SDWA)**

Proposed Rule Stage

3584. REVISION OF EXISTING VARIANCES AND EXEMPTIONS REGULATION TO COMPLY WITH REQUIREMENTS OF THE SAFE DRINKING WATER ACT

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; PL 104-182

CFR Citation: 40 CFR 142

Legal Deadline:

Final, Statutory, August 6, 1998, see additional information.

Abstract: This action will revise the existing regulations in accordance with the Safe Drinking Water Act Amendments of 1996, regarding the

issuance and availability of variances and exemptions under the Safe Drinking Water Act. Mirroring the statutory language, a section specifically addressing variances for small public water systems will be added and minor codification changes will be made elsewhere in the existing rule. We anticipate that the revisions will be viewed as having beneficial impacts on small systems.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4040

Legal Deadline continued: The statute requires promulgation of regulations not later than two years after the date of enactment; therefore, our target date is August 6, 1998.

Agency Contact: Andrew J. Hudock, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2243A, Washington, DC 20460

EPA—SDWA

Proposed Rule Stage

Phone: 202 564-6032

Fax: 202 564-0024

RIN: 2020-AA37

3585. • DRINKING WATER UNREGULATED CONTAMINANT MONITORING PROGRAM

Priority: Other Significant

Legal Authority: 43 USC 300(f) et seq; PL 104-182

CFR Citation: 40 CFR 141.35(a) to (d); 40 CFR 141.40(a) to (n)

Legal Deadline:

NPRM, Statutory, August 6, 1999, see additional information.

Abstract: The "Unregulated Contaminant Regulation" is required by the Safe Drinking Water Act as amended in 1996. Under these amendments EPA is required to publish a list of not more than 30 unregulated contaminants which public water supply systems are to monitor to determine, on a national basis, the location, concentration and related information regarding the occurrence of these contaminants and their potential for migrating to sources of public drinking water. The Amendments further require EPA to issue regulations which establish criteria for listing contaminants and for carrying out the Unregulated Contaminant Monitoring Program.

The results of the unregulated contaminant monitoring data are to be used by the Agency in determining which contaminants pose the greatest risks to human health and, if necessary, in setting priorities for their regulation. Conversely, contaminants that potentially pose risk to human health but are not found in drinking water supplies may be removed from consideration for regulation under the Safe Drinking Water Act.

The requirement to monitor for unregulated contaminants was first established by the 1986 Amendments to the Safe Drinking Water Act. Under the 1986 Amendments, the Agency required by regulation as many as 48 contaminants to be monitored. In addition, only public water systems serving 500 persons were exempt from monitoring provided that they made their facilities available for the states to monitor. Furthermore, repeat monitoring was required every 5 years. The 1996 Amendments, considerably reduce the burden upon public water

systems in that they limit the number of contaminants that can be on the monitoring list to 30 or less, require that only a representative sample of systems serving 10,000 persons be required to monitor, authorize the States to develop representative monitoring plans to assess the occurrence of unregulated contaminants in public water systems that serve 10,000 persons or fewer, and that EPA will pay the reasonable cost for sample analysis for these public water systems if funds are appropriated.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	08/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 494 Water Supply

Additional Information: SAN No. 4131
Legal Description: Statutory deadline for list of 30 or less unregulated contaminants to be issued.

Agency Contact: Charles Job, Environmental Protection Agency, Water, 4607, Washington, DC 20460
Phone: 202 260-7084
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RIN: 2040-AD15

3586. NATIONAL PRIMARY AND SECONDARY DRINKING WATER REGULATIONS: ANALYTICAL METHODS FOR CERTAIN PESTICIDES AND MICROBIAL CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f Safe Drinking Water Act sec 1401; 42 USC 300g-1 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: In promulgating National Primary Drinking Water Regulations, EPA includes analytical methods for determination of regulated drinking water contaminants. EPA approved

methods include EPA methods, Standard Methods (methods evaluated and recommended for use by the America Public Health Association (APHA)), American Society for Testing and Materials (ASTM) Methods, United States Geological Survey (USGS) Methods and others. Periodically, the Agency updates and revises methods to incorporate newer technologies. Standard setting organizations such as APHA, ASTM, and USGS also routinely revise and update methods.

In this regulatory effort, EPA proposes to approve new methods or newer versions of existing methods for total coliforms, E. coli, and acid herbicides. At the same time, the Agency will withdraw approval of selected outdated methods.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Rule	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4044

This regulation was split from RIN 2040-AC77, SAN 3726.

Agency Contact: Jeanne Campbell, Environmental Protection Agency, Water, 4603, Washington, DC 20460
Phone: 202 260-7770

RIN: 2040-AD04

3587. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADON

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 300 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:

Other, Statutory, February 6, 1999, Publish radon health risk reduction and cost analysis.

NPRM, Statutory, August 6, 1999.
Final, Statutory, August 6, 2000.

Abstract: Radon in drinking water increases risk to public health, both from inhalation of radon discharged through normal household water use,

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Proposed Rule Stage

such as showering, and from ingestion of water. In 1991, EPA estimated that radon in public drinking water supplies causes about 192 avoidable cancer cases each year. EPA does not currently regulate radon in drinking water. On July 18, 1991, EPA proposed a maximum contaminant level (MCL) for radon in drinking water at 300 pCi/L, to address radon in public water supplies (systems serving over 25 individuals or with greater than 15 service connections). EPA withdrew the proposed radon regulation on August 6, 1997 (62 FR 42221) This rule will impact small entities, including small public water supplies and municipalities. Tribal governments will be affected if they provide water through systems meeting the definition of public water supply. States with primacy will implement the final regulation, and will be asked to assist EPA in developing guidelines for multimedia mitigation programs.

The 1996 Amendments to the Safe Drinking Water Act add new radon requirements. Congress directed EPA to: (1) Withdraw the 1991 proposed rule; (2) Work with the National Academy of Sciences (NAS) to conduct a risk assessment for radon in drinking water, and an assessment of the health risk reduction benefits associated with various mitigation methods of reducing radon in indoor air; (3) Publish a radon health risk reduction and cost analysis for possible radon MCLs for public comment, by February 1999; (4) Propose MCLG and National Primary Drinking Water Standard for radon by August, 1999; and (5) Publish MCLG and Final MCL for radon, by August, 2000.

Pursuant to 1412 (b)(13), EPA promulgates an MCL more stringent than necessary to reduce the contribution to radon in indoor air from drinking water to a concentration that is equivalent to the national average concentration of radon in outdoor air, the Agency must establish an alternative MCL. The level of the alternative MCL is linked to average outdoor radon levels. If an alternative MCL is established, EPA must publish guidelines for States to develop multimedia radon mitigation programs. If EPA approves a State multimedia mitigation program, public water supply systems within the State may comply with the alternative MCL. EPA shall evaluate multimedia radon mitigation programs every 5 years.

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Notice	02/00/99	
Reproposal	08/00/99	
Final Rule	08/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2281

Agency Contact: Sylvia Malm, Environmental Protection Agency, Water, 4607, Washington, DC 20460
Phone: 202 260-0417

RIN: 2040-AA94

3588. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUNDWATER DISINFECTION

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 300 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Final, Statutory, May 2002.

Abstract: The Safe Drinking Water Act as amended in 1996 directs EPA to promulgate regulations requiring disinfection "as necessary" for ground water systems. The intention is to reduce microbial contamination risk from public water systems relying on groundwater. To determine if treatment is necessary, the rule will establish a framework to identify public water supplies vulnerable to microbial contamination and to develop and implement risk control strategies including but not limited to disinfection. Development and implementation of the rule will involve local, tribal, state and federal governments. The structure of the draft rule is a series of barriers to microbial contamination. The proposed barriers are source water protection and vulnerability assessment; assessment and maintenance of the well, treatment facility and distribution system; disinfection where necessary and monitoring.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	
Final Rule	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2340

Agency Contact: Tracy Bone, Environmental Protection Agency, Water, 4607, Washington, DC 20460
Phone: 202 260-2954

Erin K. Flanagan, Environmental Protection Agency, Water, 4607, Washington, DC 20460
Phone: 202 260-5545

RIN: 2040-AA97

3589. PUBLIC WATER SYSTEM PUBLIC NOTIFICATION REGULATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300f et seq

CFR Citation: 40 CFR 141.32; 40 CFR 142.16

Legal Deadline: None

Abstract: This action revises an existing regulation to incorporate the new public notification provisions in section 1414 (c) of the Safe Drinking Water Act. The basic requirement for public water systems with violations of drinking water standards to give public notification is not changed by the 1996 SDWA amendments. A Public Water System is required under section 1414(c) of the SDWA to provide notification to its customers whenever: (1) a violation of certain drinking water regulations occurs (including MCL, treatment technique, and monitoring/reporting requirements); (2) a variance or exemption (V&E) to those regulations is in place or the conditions of the V&E are violated; or (3) results from unregulated contaminant

EPA—SDWA

Proposed Rule Stage

monitoring required under Section 1445 of the SDWA are received. The Administrator is required under this statute to prescribe by regulation the manner, frequency, form, and content for giving notice. The existing regulation is in 40 CFR section 141.32. States are required to adopt this rule to retain primacy under 40CFR section 142.10.

The 1996 amendments significantly revise the public notification requirements. The amendments: (1) alter the timing of the notification for certain violations; (2) establish a specific requirement for EPA consultation with the States in issuing revised regulations; (3) allow the State to prescribe alternative notification requirements by rule with respect to the form and content of the notice; and (4) add a new requirement for the State to prepare an annual report on violations and for EPA to prepare a follow on report summarizing States' reports and public notices submitted by public water systems serving Indian Tribes. One other new requirement -- for public water systems to prepare an annual consumer confidence report -- is being implemented under a separate regulatory action.

The benefits of the revised public notification regulations will be to streamline the existing requirements, provide quicker and more effective notification of violations that have a "serious adverse effect," and better inform the customers of public water systems of the quality of their drinking water and the risk to their health.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final Rule	08/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4009

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RIN: 2040-AD06

3590. MANAGEMENT OF CLASS V INJECTION WELLS UNDER PART C OF THE SAFE DRINKING WATER ACT

Priority: Other Significant

Legal Authority: 42 USC 300h Safe Drinking Water Act 1421 to 1425

CFR Citation: 40 CFR 144; 40 CFR 145; 40 CFR 146

Legal Deadline:

NPRM, Judicial, June 18, 1998.
Final, Judicial, July 31, 1999.

Abstract: In the Safe Drinking Water Act (SDWA) of 1987, Congress required that EPA protect current and future underground sources of drinking water (USDWs) from endangerment. The 1987 Report to Congress: Class V Injection Wells determined that certain types of high risk Class V wells may be contaminating, or have the potential to contaminate, USDWs. Through this regulatory action, EPA intends to propose additional requirements addressing the environmental and health threats posed by the highest risk Class V wells. Class V wells likely to be impacted by this regulation include industrial and commercial disposal wells and large capacity cesspools.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44652
Reproposal	06/00/98	
Final Rule	07/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2778

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RIN: 2040-AB83

3591. STREAMLINING DRINKING WATER MONITORING REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 42 USC 300j-4 Safe Drinking Water Act sec 1445

CFR Citation: 40 CFR 141

Legal Deadline: None

Abstract: The current drinking water monitoring requirements vary by contaminant (e.g., inorganic vs. organic), the source of the supply (i.e., surface water vs. ground water) and by system size. After an initial series of samples, the sampling frequency increases or decreases based on the results of the initial series. Because there are numerous permutations to the possible frequencies at any one sampling point, the requirements are difficult to understand. And because the requirements presume all systems are contaminated, many systems have conducted expensive monitoring without finding any contamination.

EPA intends to simplify and improve the cost effectiveness of the current requirements for chemical contaminants by reducing the number of variables upon which the sampling frequencies turn, by providing greater latitude for state discretion in customizing the sampling frequencies to local circumstances (i.e., vulnerability to contamination) and by consolidating subsections wherever possible.

Timetable:

Action	Date	FR Cite
ANPRM	07/03/97	62 FR 36099
NPRM	06/00/98	
Final Rule	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3761

(Combining with SAN 3565 and RIN 2040-AC52)

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RIN: 2040-AC73

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Safe Drinking Water Act (SDWA)

3592. NATIONAL PRIMARY AND SECONDARY DRINKING WATER REGULATIONS: ANALYTIC METHODS FOR ORGANIC, INORGANIC AND MICROBIOLOGICAL CONTAMINANTS AND PESTICIDES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f; Safe Drinking Water Act sec 1401; 42 USC 300g(1); Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: In promulgating National Primary Drinking Water Regulations, EPA includes analytical methods for determination of regulated drinking water contaminants. EPA approved methods include EPA methods, Standard Methods (methods evaluated and recommended for use by the American Public Health Association (APHA)), American Society for Testing and Materials (ASTM) Methods, United States Geological Survey (USGS) Methods and others. Periodically, the Agency updates and revises methods to incorporate newer technologies. Standard setting organizations such as APHA, ASTM, and USGS also routinely revise and update methods.

In this regulatory effort, EPA proposes to approve newer versions of existing methods for organic, inorganic and microbiological contaminants. At the same time, the Agency will withdraw approval of selected outdated methods.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3726

Agency Contact: Jitendra Saxena, Environmental Protection Agency, Water, 4603, Washington, DC 20460
Phone: 202 260-9579

RIN: 2040-AC77

3593. NATIONAL PRIMARY DRINKING WATER REGULATIONS: STAGE I DISINFECTANT/DISINFECTION BY-PRODUCTS RULE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 300 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Final, Judicial, November 1998.

Abstract: The 1996 SDWA amendments require EPA to promulgate an Interim Enhanced Surface Water Treatment Rule (IESWTR) and a Stage 1 Disinfectants/Disinfection Byproducts (DBP) Rule by November 1998. EPA proposed both rules in 1994 as a result of formal regulatory negotiations. The regulations, along with a long-term ESWTR and Stage 2 DBP Rule that will be promulgated later, are intended to expand existing public health protections and address concerns about risk trade-offs between pathogens and disinfection byproducts.

EPA is working under an expedited schedule to meet the November 1998 deadline for the final IESWTR and Stage 1 Rule. The Agency issued a Notice of Data Availability (NODA) for public comment in the fall of 1997 as part of this schedule. The NODA detailed the recommendations made by the M/DBP Advisory Committee (established under the Federal Advisory Committee Act (FACA)) on a number of key elements in the rule. The Agency plans to issue another NODA in March 1998 that details EPA's analysis of new health effects research and possible regulatory applications.

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38668
Notice of Data Availability	11/03/97	62 FR 59387
Final Rule	11/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2772

Agency Contact: Thomas Grubbs, Environmental Protection Agency, Water, 4607, Washington, DC 20460

Phone: 202 260-7270

RIN: 2040-AB82

3594. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300g-1 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: EPA will promulgate revisions to the National Primary Drinking Water Regulations for Lead and Copper published June 7, 1991. The basic lead and copper regulations will remain intact, however, EPA will promulgate minor revisions to refine specific requirements and improve implementation of the rule. Some of these revisions are deregulatory in nature, in that they will lessen monitoring requirements for public water systems which have consistently shown very low levels of lead and copper at the tap. EPA also plans to promulgate changes that will provide many community water systems more flexibility in the delivery of lead public education requirements, and allow States to invalidate inappropriate samples. Other revisions would promote consistent national implementation by clarifying the monitoring requirements that apply in different circumstances. Finally, EPA plans to respond to a remand in American Water Works Association v. EPA, 40 F.3D 1266 (DC Circuit 1994), on portions of the Lead and Copper regulation by promulgating a revised definition of control as it applies to lead service line replacement and to address the current exemption of transient non-community water systems from coverage under the rule. Nationally, EPA estimates the changes will not affect the cost or benefits of the Lead and Copper Rule significantly. State governments may experience a minor increase in costs as a result of these revisions. Many local and tribal governments and small businesses that operate public water systems should experience a small decrease in annual costs.

Timetable:

Action	Date	FR Cite
NPRM	04/12/96	61 FR 16348
Final Rule	09/00/98	

EPA—SDWA

Final Rule Stage

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3440

Agency Contact: Judy Lebowich, Environmental Protection Agency, Water, 4607, Washington, DC 20460
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RIN: 2040-AC27

3595. REFORMATTING OF DRINKING WATER REGULATIONS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300g-1 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: This rule reformats the current drinking water regulations to make them easier to understand and follow. This rule is not intended to change any of the regulatory requirements. The rule affects state, local and tribal governments in that it makes the rules easier to implement and thus facilitates their jobs.

Timetable:

Action	Date	FR Cite
Direct Final	04/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3563

Agency Contact: Carl Kessler, Environmental Protection Agency, Water, 4603, Washington, DC 20460
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RIN: 2040-AC41

3596. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INTERIM ENHANCED SURFACE WATER TREATMENT RULE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 300 Safe Drinking Water Act sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:

Final, Statutory, November 1998.

Abstract: The 1996 SDWA amendments require EPA to promulgate an Interim Enhanced Surface Water Treatment Rule (IESWTR) and a Stage 1 Disinfectants/Disinfection Byproducts (DBP) Rule by November 1998. EPA proposed both rules in 1994 as a result of formal regulatory negotiations. The regulations, along with a long-term ESWTR and Stage 2 DBP Rule that will be promulgated later, are intended to expand existing public health protections and address concerns about risk trade-offs between pathogens and disinfection byproducts.

EPA is working under an expedited schedule to meet the November 1998 deadline for the final IESWTR and Stage 1 Rule. The Agency issued a Notice of Data Availability (NODA) for public comment in the fall of 1997 as part of this schedule. The M/DBP Advisory Committee (established under the Federal Advisory Committee Act (FACA)) met from March through July 1997 to discuss, evaluate and provide advice on data, analysis and approaches related to the two rules. On July 15, 1997, the Committee formally reached consensus and signed an agreement that includes recommendations, also included in the 11/97 NODA, to EPA on a number of key rule elements.

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38832
Notice of Data Availability	11/03/97	62 FR 59485
Final Rule	11/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2304

Agency Contact: Elizabeth Corr, Environmental Protection Agency, Water, 4607, Washington, DC 20460
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RIN: 2040-AC91

3597. DRINKING WATER CONSUMER CONFIDENCE REPORT REGULATIONS

Priority: Other Significant

Legal Authority: 42 USC 300(g)(3c); 42 USC 300(g)2; 42 USC 300(j)9; 42 USC 300(j)11

CFR Citation: 40 CFR 141; 40 CFR 142.10

Legal Deadline:

Final, Statutory, August 6, 1998.

Abstract: The SDWA amendments of 1996 require EPA to promulgate regulations requiring all community water systems to prepare Consumer Confidence Reports regarding the quality of the drinking water they provide. The regulations must specify the form and content of these reports. The reports must be prepared annually and mailed to customers except that the Governor of a State can exempt systems serving fewer than 10,000 customers from the mailing requirements. The reports must contain (1) information on the source of the drinking water, (2) brief and plainly worded definitions of certain key terms such as MCL and MCLG, (3) information on all detected contaminants and health information for contaminants which exceed an MCL, (4) information on compliance with primary drinking water regulations, (5) information on unregulated contaminants if detected. The reports must refer to an EPA hotline for additional health information. No sampling or monitoring is required by these regulations. The reports are a compilation of information obtained to comply with other requirements under the SDWA.

Timetable:

Action	Date	FR Cite
NPRM	02/13/98	63 FR 7606
Final Rule	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3947

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RIN: 2040-AC99

EPA—SDWA

Final Rule Stage

3598. SAFE DRINKING WATER PUBLIC WATER SUPPLY SYSTEM PROGRAM: CITIZEN COLLECTION ACTION; NOTICE OF COMPLAINT SEEKING REVIEW OF PENALTY ORDER

Priority: Substantive, Nonsignificant
Legal Authority: Safe Drinking Water Act sec 1447; Safe Drinking Water Act sec 1449
CFR Citation: 40 CFR 135
Legal Deadline: None
Abstract: The 1996 SDWA modified section 1449 by authorizing how and

when persons may sue federal agencies to collect outstanding penalties assessed by EPA. In addition, section 1447 was modified to authorize interested persons to obtain review of administrative penalty orders by filing complaints with a U.S. District Court within the thirty day period beginning on the date the penalty order becomes final. The proposed rule will govern the manner in which both amendments are implemented.

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3936

Agency Contact: David Drelich, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2243A, Washington, DC 20460
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RIN: 2020-AA35

ENVIRONMENTAL PROTECTION AGENCY (EPA) Safe Drinking Water Act (SDWA)

Long-Term Actions

3599. REVISIONS TO STATE PRIMACY REQUIREMENTS TO IMPLEMENT FEDERAL DRINKING WATER REGULATIONS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 142.10; 40 CFR 142.11; 40 CFR 142.12; 40 CFR 141.2; 40 CFR 142.2

Timetable:

Action	Date	FR Cite
Final	06/00/99	

Small Entities Affected: None
Government Levels Affected: State, Tribal, Federal
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RIN: 2040-AD00

Government Levels Affected: State, Local, Tribal, Federal
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RIN: 2040-AB75

3601. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant
CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65578
Final Rule	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: James Taft
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RIN: 2040-AC07

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Rule	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: James Taft
 Phone: 202 260-5519

RIN: 2040-AC13

3603. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIUM, URANIUM, ALPHA, BETA AND PHOTON EMITTERS

Priority: Other Significant
CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Final Rule	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: David Huber
 Phone: 202 260-9566

RIN: 2040-AC98

3600. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
Plan Arsenic Study	12/24/96	61 FR 67800
NPRM	01/00/00	
Final Rule	01/00/01	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

3602. NATIONAL PRIMARY DRINKING WATER STANDARDS FOR ALDICARB

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 141; 40 CFR 142

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Marine Protection Research and Sanctuary Act (MPRSA)

3604. REVISIONS TO OCEAN DUMPING REGULATIONS FOR DREDGED MATERIAL

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 225; 40 CFR 227; 40 CFR 228

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Agency Contact: David Redford
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RIN: 2040-AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Shore Protection Act (SPA)

3605. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2601 Shore Protection Act of 1988; PL 100-6-88 4103(b)

CFR Citation: 40 CFR 237

Legal Deadline: None

Abstract: This rule will implement the Shore Protection Act (SPA) and is designed to prevent the deposit of municipal and commercial waste into U.S. Coastal Waters. This rule establishes minimum waste handling practices for vessels and waste handling facilities involved in the transport of municipal or commercial wastes in the coastal waters of the U.S. The rule may require certain vessels and waste handling facilities to develop

an operation and maintenance manual that identifies procedures to prevent, report, and clean up deposits of waste into coastal waters. State and local governments and businesses involved with the vessel transportation and shore side handling of these wastes would be affected by this rule.

Currently no Tribes are known to be involved in waste handling of this type, therefore none would be affected by this rule. In regards to small businesses, EPA has provided guidance on development of operation and maintenance manuals and encourages the use and documentation of existing industry practices that meet or exceed the EPA proposed minimum waste handling standards. All indications are that this regulation as proposed would have a minimal economic impact. This regulation will result in reduction of

municipal and commercial wastes deposited in coastal waters.

Timetable:

Action	Date	FR Cite
NPRM	08/30/94	59 FR 44798
Final Rule	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 2820

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RIN: 2040-AB85

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